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AMERICAN INSTITUTIONS
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THEIR PRESERVATION

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WILLIAM W. COOK

OF THE NEW YORK BAR
AUTHOR OF COOK ON CORPORATIONS; PRINCIPLES OF
CORPORATION LAW; POWER AND RESPONSIBILITY OF THE AMERICAN BAR

Second Edition

VOLUME II

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CHAPTER XXIV

THE RAILROADS

SHALL the railroads own the government or shall the government own the railroads, or shall the government merely control the railroads, and if so in what form? The answer will have a profound effect on the American problem of self-government. Government ownership is desired only by radicals, who care little for American institutions. Economically such ownership would be disastrous and inefficient, as has been shown repeatedly by the experience of Europe. Politically it would be demoralizing and highly dangerous. Government ownership, however, is inevitable unless low rates and good service can be obtained by government control. The evils of government ownership would be so fundamental and far reaching in their effect on the delicate machinery of republican institutions, and so prolific of corruption and grasp for power at Washington, and so full of bitter conflict of section with section of the country, that America does well to hesitate to abandon the present policy of public control and private ownership. But to get low rates and good service some fundamental change is necessary.

If E. H. Harriman had lived and been allowed to carry out his ideas he would probably by this time have had half the railroads of the country consolidated into one system. He controlled or was connected with over 70,000 miles of railroad. Harriman was not working for the public, but as generally happens with geniuses, his gain was infinitesimal as compared with the public good he wrought. He would have made a great saving in eliminating duplicate service. He would have given lower rates and better service. Harriman had no illusions as to competition in service or in rates. He knew that they meant waste. He was no philanthropist in his motives but was a philanthropist in his results.

Competition in rates has practically disappeared and moreover they are now fixed by the Interstate Commerce Commission.

Competition in service is still a fetish with the American people. With the great majority of railroad points — those served by only one railroad — it does not exist at all. Between cities where competition in service exists it is wasteful and discriminatory. An illustration of the waste was pointed out by Mr. Ripley of the Atchison a few years ago, when he said that every night five competing trains started from Chicago for Kansas City, six for Omaha, and five for St. Paul, and that probably one for each city would suffice. Wyman on Railroad Valuation and Rates refers to the same facts and points out that the waste applies to freight as well as passengers. Consolidation would do away with this.

Take another illustration. New York has worked out a Port Plan to increase the use and to decrease the expense of terminals in and about New York City. Congress has approved that plan. But the plan is blocked because the particular railroads now owning terminals costing vast sums of money very naturally refuse to allow other railroads to use these terminals and thus take traffic away from the former. This is competition in service with a vengeance and the public suffer. It holds up prices to the consumer, reduces prices paid to the producer, and blocks commerce. Consolidation of competing lines would do away with this. Railroad men realize the waste and futility of railroad competition but know the American superstition on that subject and do not care to be crucified for exploding it. At the public hearing on this Port Plan instances were given of waste by roundabout routing which were astonishing. If the public realized the extent of similar waste throughout the country they would rise in their wrath and stop it.[1] Competition in service means duplicate trains, duplicate stations, duplicate accounting, roundabout routes, terminal monopolies increasing terminal expenses of other railroads, discriminations, and secret rebates. The Railway Gazette in its issue of August 18, 1928, says: "Competitive tonnage can be secured at too dear a price; and when it is secured by trading purchases for it, granting costly special privileges, rendering unnecessary service, initiating reductions or preventing advances of rates, it almost always is secured at a net loss." As already stated, and it may well be repeated, New York State experimented many years on this subject, not only as to railroads, but also as to gas companies, electric light companies, telephone companies, and other public service companies and finally New York adopted the policy expressed by its highest court in 1912, when that court said (207 N. Y. 98, 99):

> "It is the settled policy of the State arising through an extended and instructive experience to withdraw the unrestricted right of competition between corporations occupying through special consents or franchises the public streets and places and supplying the public with their products or utilities which are well nigh necessities."[1]

England recognized the futility and waste of competition in service and rates, and so in 1921 Parliament peremptorily ordered all of the railroads in that country to consolidate into four companies, and this has been done. Competition was practically eliminated. The London Statist in its issue of February 23, 1924, said that these English consolidations "have already effected large economies and improved the railway services of the country." The trouble in America is that the economies will be absorbed by the promoters as profits.

The first step towards effective governmental control of the railroads is to abandon the fetish of competition and allow the railroads themselves to consolidate as they please, just as the law allowed it forty years ago; subject now, however, to the approval by the government of the consolidated capitalization in stocks and bonds. Now these consolidations are going to result in large saving of expense in many ways and who is to have the benefit of those savings? Especially will those savings be large if competition in service is abandoned. England in its British Railway Act of 1921 realized this saving by consolidation and provided that in large part it be applied to reduction of rates. The same policy applies with still greater force in America, where the vastness of the railroad systems and the present waste by competition indicate an enormous saving by consolidation. That saving will not be reflected in lower railroad rates unless a strong hand is placed on the situation. The profits will go to the stockholders and indirectly to the promoters who purchase the stock on advance information. Witness the proposed Nickel Plate consolidation. The National Industrial Conference Board says consolidation will not bring lower freight rates.[1] No, nor passenger rates if the railroads can prevent it by absorption, and they doubtless can.

In consolidating the railroads into one or a few systems the question at once arises — how prevent their becoming a Frankenstein and slaying their creator? For many years I have advocated consolidation, federalization, and control of railroads by a Federal Railroad Board. As I shall point out later, neither the Interstate Commerce Commission, nor the stockholders, nor the boards of directors, nor the railroad presidents and general managers, nor the bankers, nor the Government itself directly are qualified to assume complete control of the railroads. Some new device is necessary, and it should be a Federal Railroad Board, displacing the Interstate Commerce Commission and stockholders' elections. It would correspond to the Federal Reserve Board, controlling the banks. The legal method of doing this is simple. Congress cannot take from present railroad stockholders their right to elect directors, but Congress may grant federal railroad charters and in those charters insert provisions that the stock shall have no vote and that the directors shall be appointed by a Federal Railroad Board. This looks like a radical proposition but is not so radical as it looks. Already Congress has a Board to determine *rates*. One more step, namely, appointing the railroad directors, and the work is complete. Present railroad stockholders will lose nothing. What they wish is some moral responsibility on the part of someone to protect their investment. At present they have none. They would be glad enough to exchange their stocks and bonds for new stocks and bonds in federal railroad corporations with some moral responsibility. If a Federal Railroad Board were given complete control of all of the railroads by appointing their directors, it could select, employ, and discharge at will any railroad general manager in the United States. It would have as complete control of receipts and expenditures as the railroads themselves formerly had. There would be no divided responsibility, no delayed decisions. Our great railroad systems are the centers of feverish activity, infinite details, and they throb with every pulsation of the foreign and domestic commerce of the United States. Present commission rule is slow. Railroads cannot be run in that way. Railroad men are highly executive, quick, responsive to the imperative demands of the day. They cannot wait months before acting. They decide at once; otherwise they are swept into the discard. A Federal Railroad Board, controlling the executive railroad men and the policy, could give the same free hand to the railroad executives as to details. Unified control is the key to the situation and that can be obtained only by consolidation and federalization with a single Board controlling rates, wages, dividends, and selection of directors. As to dividends, it is the duty of the government, having already seized control of rates, to take control also of railroad finances and see to it that investors have a proper return. It is in the interest of the public that this be done, not merely as a matter of good faith, but in order to induce investors to furnish fresh money for extensions and improvements by buying further issues of stocks and bonds.

At present we have a double-headed control, a commission controlling rates, while dividends are left to the directors to shift for themselves.

The *Labor Board* was abolished in 1926. It had little power, and both the railroads and railroad labor disregarded it. The Act of 1926 left it to the railroads to adjust wages and in case a deadlock occurs the President is to appoint an emergency board to investigate and report. The new law has not worked well. There is a separate committee on each application of labor and each committee compromises by granting part of the demand.[1] There is no comprehensive view of the whole field. The new law is disastrous to the railroads and of course operates against any reduction in rates. And there is the further danger that the railroads may not grapple with excessive wages and thus hold down or reduce railroad rates? The inducement to do so is largely gone. In the old days the profits of the railroads went to dividends. The profits are now limited to about 5¾ per cent of the value of the property. One-half of anything above that is "recaptured" by the Commission to loan to the railroads or invest in equipment to be leased to the railroads.[2] It is no great object to prosperous railroads to save. Do they favor reduction of rates? Not at present. Would they not rather yield to labor's demands than work for reduced rates or recapture? Ask them. The motive for combating excessive wages is too weak. In fact, this law of 1926 may increase rates by reason of increase of wages leading to a demand of the railroads that rates be increased to meet the new expense. This is by no means improbable, and at least may prevent decreases in rates. In short, the public is punished for allowing wages to be regulated by irresponsible parties. The public will get satisfactory results when the public has some control over wages and not before. Control over the railroads' boards of directors is the only way out. Every one wishes well to railroad labor and everybody respects it. It leads a strenuous life. But when railroad labor indorses such a monstrous scheme as the Plumb plan and stops transportation when its demands are not complied with, the public needs to beware. Napoleon asked Talleyrand, "What is America?" and Talleyrand replied, "It is a body without bones." An American has remarked that since then the bones have grown and they are bones of steel. Is it right that any one class — labor or capital — should control this steel frame of the whole structure of American life?

The *Interstate Commerce Commission* is logically the body to control wages as well as rates, but the railroad problem is now reaching far beyond rates and wages, and it is a serious question whether that Commission is fitted to exercise the complete control which is now inevitable. Ex-President Hadley of Yale in an able article in the Yale Review for April, 1923, points out that while that Commission is "a remarkably high-minded, hard-working and patriotic body of public officials," yet it has little time for "its broader obligations towards Congress and the public; particularly as few of its members have had practical experience of the difficulties and perils of railroad management." He favors a new railroad board "radically different in its character, its outlook, and its training from what the Interstate Commerce Commission now is." He says "we must have a body of men with exceptional previous knowledge and understanding of railroad business in its various aspects; men who can see the public duties and needs and dangers of our railroad system as a whole in the same clear light in which the Federal Reserve Board has seen the public duties and needs and dangers of our banking system."[1] Mr. Hadley is right. In February, 1925, President Coolidge's agricultural conference reported among other things: "It is unfortunate that in more recent years the Interstate Commerce Commission has failed or has been unable to recognize its responsibility as an advocate of the shipper and has developed into a court. The methods of procedure and the practices that have been developed are constantly making it more difficult for a shipper to obtain redress. The cost of employing counsel and the necessary experts makes it almost impossible for the ordinary citizen to get a hearing. There are few, if any, courts where it is more expensive or more difficult to obtain relief, neither is there any court more deliberate in reaching its decisions after a case is presented."[1] A Federal Railroad Board appointing the directors of the railroads would by means of those directors dispose of such matters expeditiously and cheaply as a detail of administration. One of the ablest members of the Commission itself, Charles A. Prouty, in an address delivered in 1907, said: "If the Interstate Commerce Commission is vested with a jurisdiction so tremendous in extent and of such finality, every effort should be made to provide a body adequate to the trust. . . . I very much doubt whether the same body can properly discharge both these functions (executive and judicial). In the end it will either become remiss in its executive duties or will, in the zeal of these, become unfit for the dispassionate performance of its judicial functions. Whatever may have been true in the past, the time has come when the Commission should be relieved of all its duties except the hearing and deciding of complaints."[2] Commissioner Woodlock of the Interstate Commerce Commission said before a Senate Committee in January, 1926, "The power that rests in the commission far transcends the power entrusted to any other commission in the world. The commission, in the course of its work, exercises all three functions of government, legislative, executive, and judicial. The power to make rates is legislative, the power to determine value — even if such determination be only of *prima facie* force — is judicial. The administrative powers of the commission touch virtually all the relations of shipper and traveler with carrier. The magnitude of the economic interests committed to the control of the commission equipped with these powers far surpasses that of any other single group of economic interests on this earth. We have to deal with half the railroad mileage of the world, which, in the words of Chief Justice Taft, is committed 'to the fostering guardianship and control of the commission.' Furthermore, in exercising these functions of 'guardianship and control' the commission has to deal with a mass of facts which for multitude and complexity are without parallel in administrative work." It is easy to criticize the Interstate Commerce Commission, yet after all that Commission alone prevents our going to government ownership, than which nothing could be worse.

The *stockholders* are no longer competent to control. The time was when these vast railroad corporations were smaller, and a single man or small group of men held a majority of the stock and really controlled. But today for the most part the stockholders do not vote at all. They merely send in their proxies at the request of the officers already in control. The old leaders, like Vanderbilt, Huntington, Harriman, and Hill, were heavy stockholders and had a great stake in the enterprise. As stockholders they really controlled and guided the policy. Present stockholders merely ask a fair return on the investment. They have no personal relations with the officers and know little about them. They attach no value to their vote as stockholders and would be content that a Federal Railroad Board appoint the railroad directors, provided always that reasonable dividends be paid. Bonuses and melons have faded away and are no longer expected. But if fair dividends are not paid the investor will not invest and the public will suffer from lack of facilities. The public impression that railroad stocks are largely "water" has been dissipated by the decisions of the Interstate Commerce Commission that the value of the railroads is about equal to the par value of their stocks and bonds. In fact, physical valuation is proving a Frankenstein. The original "water" has been eliminated by increase in value and by foreclosures and by earnings used for improvements. But that does not change the fact that as to control the stockholders are nonentities and nothing can be expected from them.

The *railroad directors* have only the remnants and worries of control. Rates have been wrested from them. The raising of fresh capital and the payment of dividends (the two go together) they are expected to accomplish with no control over rates. The result is the directors no longer direct. They practically turn the control, such as they have, over to the executive officers. In fact, these railroad directors are a nominal body, unknown to the stockholders, unknown to the public, and almost unknown to themselves. If they met a real railroad problem in the middle of the road in broad daylight they would not recognize it. *They* certainly cannot be looked to for real control of the railroads. If, however, they were appointed by a Federal Railroad Board (to subdivide the labors of that Board and give each railroad local directors) they would be galvanized into life to carry out the power and responsibility of the Federal Board. At present they represent capital and not the public.

Railroad presidents and general managers present a different proposition.* There is nothing feeble about them. For the most part they have come up straight from the ranks, under a perfect civil service system — strong, aggressive, and masters of their business. They are wonderful operating men, and can get much out of little. They have produced the lowest freight rates in the world and have revolutionized the handling of traffic. However, although railroading is a hard business and produces resourceful men, these railroad men have not now and never again will have the entire confidence of the public as to control. In fact, public suspicion of railroad management and control is the chief cause of the present complications on this whole subject. Whether justified or not it exists and is a fact to be dealt with. The public belief is that railroad officials work for their railroads, first, last, and all the time. Their idea of a rate is what they can get and still get the business. They do not always charge all the traffic will bear, but they have no sympathy with a cost of service rate. The determination of the American people to obtain railroad service at cost, including a very reasonable return to in-

* See Ch. XXIII, *supra.*

vestors on the value of the railroads themselves, finds no responsive chord in the hearts or minds of these hard-headed, practical railroad men. They still think *they* should control rates in order to pay dividends and interest and for improvements and to attract fresh capital. And theoretically they should from their point of view, but practically the American people have adopted a different point of view, namely, that the railroads are a public and no longer a private institution. The full control of the railroads will never again be turned back to the railroad presidents and general managers. No man can serve two masters. The railroad men serve themselves and their security holders. They do not, cannot, and will not recognize the fact that the railroads are a public institution, to be run for the benefit of the public with incidentally a reasonable return to those who have furnished the money. At present they serve the public, but only as a merchant serves the public — for profit. That theory of the railroads was all right fifty years ago when the public allowed them to do as they pleased. A new control is now inevitable and *full* control has got to be centered somewhere. Here lies the seat of the trouble. The railroad men are legally intrenched, in that the stockholder's right to elect them cannot constitutionally be taken away and given to a Federal Railroad Board. But, as shown above, there is a legal way of getting around that in granting federal charters. There will be no peace in the railroad world until somebody with the confidence of the public is placed in charge. Just how that shall be done is the real railroad problem. The Interstate Commerce Commission has demonstrated that it is not broad enough to protect the railroads and the investor and at the same time satisfy the public. We have gone part of the way in giving a commission power over rates. We shall now have to go the other part and place all power in one body.

The bankers of Wall Street do not as bankers control the railroads, either directly or through their associate bond underwriting companies. In fact, the bankers never should be in control. A banker's business is to collect and control liquid capital and not to manage industries. The banker is not qualified to manage industries. That is not his business.

But a very different proposition is control of the railroads by Wall Street capitalists. To a large extent that control exists. The control lodges there because there is no one else to take control. Twenty or twenty-five per cent of the stock is generally sufficient for control, because the great body of stockholders do not know each other; are widely scattered, and hence merely sign and send in their proxies when requested. This gives easy control to Wall Street capitalists. And the country does not like it. But who else is there to take control? To be sure, the system is wrong because its mainspring is profit and not low rates. These capitalists do not control for mere employment nor altruistic public service. They control partly to increase the value of their stock and bonds; partly for the power and prestige; partly for the collateral advantages. These last the public suspect and perhaps exaggerate. It *is* an object to have advance information of the prosperity or misfortunes of the company; to buy the stock when they are sure it is going up and sell when they are sure it is going down; to control new issues of stock and bonds; and to direct traffic contracts and consolidations. It is also an object to determine from what concerns purchases shall be made and what prices shall be paid. The public also suspect that while Wall Street places able and experienced men in direct charge of the railroads yet that those men are interfered with and not allowed to do what they wish to do for the people their lines serve. All this leads to friction and hostility to the railroads themselves. But no remedy is proposed. My belief is that the remedy will be by applying the plan of the Federal Reserve Bank Act to the railroads. Regional control subject to a Federal Railroad Board, with consolidations under federal charters is entirely practicable.

The Government itself is not fitted to own or directly control through Congress or the President the railroads. That is true not only of the American Government but experience has shown it is true of all governments. When a government goes into business it makes a failure of it. There are inefficiency, bad judgment, delays, graft, favoritism, and a whole cohort of political evils. These are accentuated in such a government as ours. As Mr. Hadley says in reference to government operation of our railroads, "Actual government operation in the three years from 1917 to 1920 was so unsatisfactory that it would be folly to try the experiment over again, until our government departments have reached a higher level of business sagacity and freedom from political control. . . . And if the government is not to operate the roads, very little good could come from having it own them."[1] All this is true and applies to any proposition that Congress attempt *direct legislative control* of the railroads. But *indirect* control is another thing. In fact, we already have indirect control in the Interstate Commerce Commission and direct control by act of Congress. That indirect control has come to stay in some form or other, but in order to be made workable, it must include expenses as well as rates. Very few want the government itself to take control direct. It is utterly incompetent. Indirectly, as shown above, it has already assumed control of rates. Having assumed the powers, now let it take the responsibility. The present indirect control can be extended so as to be complete. The effect of such unified control might restore the wonderful efficiency of the time when railroad men themselves had complete control of rates, wages, and income. They abused that control and it was taken away from them, but that does not argue against the consummate advantages of a unified control. Lower rates by eliminating competition would come. Complete control means everything. As the elder Morgan once said, "Without control you can do nothing."

The farmers are more interested in consolidations and federalizations than anyone else. Present railroad rates are too high for the small towns where the farmer ships and too low for the great cities with overgrown, artificially stimulated industries. Where each of two connecting railroads demands a part of a through rate on the farmer's shipments the rate is higher than if the two railroads were consolidated and the whole rate basis readjusted so as to reduce the through rate and increase the city rate. When the farmer's organizations come to realize how consolidation can help them and how a general readjustment of rates depends on consolidation, consolidation will come quickly.

To summarize — the remedy and plan towards which the public is moving is federalization by federal charters; consolidation into one or a few systems; appointment of railroad directors by a Federal Railroad Board; control by that Board over rates, wages, and administration; abolition of the present three-headed control of Congress, Interstate Commerce Commission, and railroad directors. These changes will give an organization of private ownership and public control. Present public control is a hydra-headed affair and is now passing into either government ownership or more effective government control. The public dislike equally the selfishness of private control and the inefficiency of government ownership. No one has stated the objections to government ownership more effectively than President Coolidge in the statement quoted in the note hereto.[1]

The contest between the public and the railroads over rates is unending. The railroads want rates high enough to pay 5 or 6 per cent on their value. This is reasonable, but what is the value? The railroads claim a value equal to *present* cost of reproduction. That would increase rates because the value of the dollar has gone down about one-third, thus putting prices up. As compared with 1914 prices present values are about 50 per cent higher, and while they will not go back entirely they will be less than 150. The public say rates are high enough — too high, in fact. Few are satisfied. The Supreme Court is moving warily, knowing the calamity of a mistake. The present contest is whether rates shall be increased sufficiently to pay a reasonable income (say 6 per cent) on what it would now cost to reproduce the railroads, less depreciation. This is the physical valuation theory of rates. This physical valuation by the Interstate Commerce Commission is about completed and shows surprising results. To pay 6 per cent on such value would require an increase of rates. The par value of railroad stocks and bonds in 1926 was about $21,748,000,000 made up of about $12,383,000,000 stock and about $9,383,000,000 mortgage bonds, after deducting intercorporate holdings.[1] Only 69.12 per cent of this stock paid dividends, the average rate being 7.32 per cent, and this was 5.06 per cent on all stock.[2] The Commission figured that the investment in the railroads (having over $100,000 annual operating revenue) up to the end of 1926 was about $22,942,000,000.[3] In a decision rendered in 1920[4] the Commission said that the value of the railroads was $18,900,000,000, although the companies' books showed $20,040,572,611.[5] That valuation, however, was based on 1914 prices. Since 1914 prices in general by reason of inflation of the currency have gone up and at present current prices the $18,900,000,000 value in 1914 becomes now much higher, probably making the whole present value somewhere between thirty-one and thirty-three billions of dollars. Congress ordered this physical valuation March 1, 1913. Congress also ordered the Commission to ascertain the original cost and other "elements of value." It was generally believed that the railroads had been overcapitalized. It now turns out that at present they are undercapitalized, as compared with present values. The whole movement was a great mistake because physical valuation is not and never has been a proper sole basis for railroad rates, and in fact no one claims it should be, though the railroads are now making the most of it, the figures being in their favor. It is even suggested that the rates be raised to what the traffic will bear, subject to the limit of a reasonable return on the physical value. This would increase rates, already burdensome. What the traffic will bear is great, especially in agricultural products where the farmer must pay whatever is demanded or stop production or again burn corn for fuel. Suffice it to say that kind of servitude will never again prevail in this country. Capital will have to exploit less. The West is handicapped by its very rich men migrating to New York, drawn irresistibly by financing and the social ambitions of the family. And as everybody knows the railroads are owned in the East. This adds absentee ownership to the difficulties of the problem and intensifies the objection to charging what the traffic will bear. To raise rates high enough to pay 6 or even 5 per cent on the present physical value of the railroads is practically to guarantee a higher income than the investor can obtain on municipal, state, or United States bonds. There is not much public service in that. The stocks would go above par at the expense of the public. Moreover, before any dividends are paid the railroad employees have to be paid and they never get enough. They too would constitute a favored class at the expense of the public. Competition would be eliminated both as to employees and risks of business. Railroad rates should be based on cost of service, value of service and fairness to present and new investors. General prices are at present going down. But is there any railroad inclination to reduce railroad rates, except to increase traffic where existing rates are more than the traffic will bear? On the contrary, the heaviest brakes on the heaviest train are clamped down hard to prevent any reduction and the power of the railroads is very great. In the course of a few years general prices swing widely up and down. That is no basis for railroad rates. Inflate the currency and rates are to go up; deflate and they are to go down. It would be confusion worse confounded. And worst of all, as stated above, the rates would not keep step with decline of prices. Compulsion would be necessary; competition would not do the work; constant agitation would disturb the republic and its government. In short, physical valuation as a basis for railroad rates is illogical, unfair, shifting, and impossible. How can property be devoted to public use and still claim a profit on its full physical value? What has physical value to do with public service? It is one value today and another value tomorrow. It is not recognized at all in England where the railroad rate question is much older than in this country. Even Congress apparently did not intend it should be the sole basis, because in 1920 Congress ordered the Commission in fixing rates to consider also "all the elements of value recognized by the law of the land for rate-making purposes."[1] Just what this means has not yet been decided. As long ago as 1898 the Supreme Court in a leading case[2] specified various factors determining rates, including the kind and amount of business, the cost thereof, the location, the fair value of the service, and the fair value of the property, bearing in mind the original cost and the market value of the outstanding bonds and stocks, and the probable earning capacity under any particular rate, and the court held that while the railroad was entitled to a fair return on the value of its property the public was entitled to demand "that no more be exacted from it for the use of a public highway than the services rendered by it are reasonably worth," and the court said the elements of a reasonable rate "will always be an embarrassing question." This was good sense and good law, but when in 1920 Congress ordered that the rates should for the next two years yield 5½ per cent on the aggregate value of the railroads a dangerous precedent was established by cutting out other elements which the Supreme Court had said should enter in.

The final test of whether a rate is reasonable is whether the profit is sufficient (and no more) to attract fresh money to furnish improvements and extensions. In 1913 the present writer wrote "a reasonable rate is a rate which will sustain the credit of an established railroad . . . and enable it to raise fresh capital to fulfill its public duties of good service, improvements, betterments, increased facilities, and extensions. This definition is based on public policy and necessity, and ultimately will prevail. Either that or government ownership because the money must be had."[1] Physical valuation has very little to do with it. If existing rates do not yield a profit that will attract fresh capital to a solvent railroad the rates should be raised, irrespective of physical value. The physical value of the surrounding country depends on railroad service and should pay rates sufficient to furnish that service. On the other hand, if existing rates pay more than enough to finance the enterprise they should be reduced, irrespective of physical value. The railroads are there for public service at the lowest cost and not for speculative profit or valuation theories. In 1924 the Supreme Court said, "By investment in a business dedicated to the public service the owner must recognize that, as compared with investment in private business, he cannot expect either high or speculative dividends but that his obligation limits him to only fair or reasonable profit."[2] If a railroad asks for higher rates it should show, not a physical valuation of 1913 or 1927 or estimated 1930, but that its present profits are insufficient to get fresh money to give proper service, and that the traffic will bear a higher rate. Tottering structures should not be bolstered up by raising the rates, nor meritorious railroad finances depressed by lowering rates, but to raise rates generally because Congress ordered a physical valuation would be enriching a few at the expense of the many, and those few are largely newcomers who bought cheap. A railroad has practically a monopoly over wide stretches of territory and should not be allowed to make monopolistic profits. The insuperable objections to basing rates on physical value are: (1) operating expense, especially labor, must first be paid and that varies from year to year, especially if there is wasteful, improvident, or crooked management; (2) ill advised or unnecessary or extravagantly built railroads may not have traffic enough to pay a fair income on the investment and hence physical value is immaterial; (3) perishable rolling stock calls for a high return for replacement, while the roadbed is imperishable and improves with age, so that physical value of one is out of line with the other; (4) enormous increase in the value of city terminals is immaterial because they are never to be sold and the railroad gets the increased value by way of increased traffic. The last word has not yet been said by the courts as to physical value as a basis of rates. Not even the railroads have the impudence to claim a return on thirty-one billion dollars (present estimated physical value) as compared with eighteen billion nine hundred millions, the value in 1914.

Of course it is difficult to apply the above. Any rule of rates is difficult. It is difficult to determine as to when in a particular district rates should be raised or reorganization of railroad finances be first allowed to work itself out. It is difficult to determine whether the operating expenses are fairly controlled; to estimate what effect a change of rate will have on traffic and on profit. But the English manage to work the problem out in this way, instead of adopting the stupid, flat plan of physical valuation based on what has been instead of what is; in other words, based on property living, dead or dying, and not on present business, demands, and emergencies.

Waterworks, electric lights, and gasworks are different. Each has its little separate territory; each its different rates; and each a different municipal grant. There is no competition and physical valuation helps to prevent extortionate rates on the one side and municipal greed, graft, and confiscation on the other. They are purely local and differ from a great trunk line system of railroads welding many states together. Railroads affect the structure and workability of our government; local utilities do not. The government has got to consider the finances of the railroads; local utilities can finance themselves. Even local utilities utilize physical valuation to raise rates in inflationary times and then refuse to reduce them when deflation comes and general prices go down.

The contest will go on unless the railroads are consolidated on a plan that will fix values and insure a small but safe return. The safety of the Republic calls for a solution of this railroad problem. The first requisite of the country is good government — protection of life, liberty, and property. Next comes transportation, which means food, coal, markets. Hence nothing is more impressed with a public interest than transportation. It forms the warp and woof of the daily life of all Americans. Hence the insistent public demand that railroad service be cheap, efficient, and uninterrupted. On these three items there has been and will be a continual contest so long as this great public interest is controlled for private profit. The public will not permanently tolerate that those who manage the railroads shall do so primarily for private profit and secondarily for public interest. The latter will and should be the sole purpose without confiscation of the money already invested or hereafter invested. When men depend on one instrumentality for food, fuel, and markets they will not tolerate that that one instrumentality shall not be furnished solely in the public interest, and that is the situation as to transportation. If the public cannot do anything else it will turn to government ownership. It will not permanently tolerate the present management because the present management is not solely for the benefit of the public. The present situation breeds disquiet and unrest and is a fruitful subject for demagogues. Secretary of Agriculture Wallace in his book says: "The railroad question has been in politics for fifty years, which is long enough. But it will remain in politics and be more disturbing than ever unless a more equitable arrangement is reached which will more fairly distribute between agriculture and other industries the burden of maintaining our transportation system. Agriculture and transportation are the two greatest industries of the Nation. They are necessary to one another; neither can afford to acquiesce in a condition which is unjust to the other. The present condition is fraught with danger to both and to the Nation as well, and unless it is corrected by constructive thinking there is danger that it may be made worse by ill-considered political action."[1] That statement is true. Railroad rates are too high. They are high because railroad wages are abnormally high and the cost of coal is abnormally high due to exorbitant wages paid miners. A system of terrorism prevents reductions. The coal situation will cure itself, but so long as railroads are allowed to charge high rates railroad managers will not force down railroad wages. It is a vicious circle. The railroads apply to the Commission for higher rates and at the same time the railroad unions demand higher wages. If higher rates are granted, higher wages are granted or else there is a strike, violence, and stoppage of traffic. The railroad managers don't care how high the rates are and care very little how high the wages are, provided there is a profit. High and higher rates will yield no profit if railroad wages keep up the pace. The root of the trouble is high operating expense — chiefly wages. Until the domination of the railroad unions is broken there will be no peace and no lower rates. The present interminable contest as to whether the physical value of the railroads should be the basis of rates, and whether such value should be cost of reproduction at present inflated prices or at 1914 prices, and whether rates should be increased still further so as to net 6 per cent or thereabouts on such physical value, and whether rates will ever be put down if they are now put up, and whether railroad wages can be controlled so as to hold down railroad expenses, will never end until some new system of control is devised. Unless full control is given to the public through a Federal Railroad Board instead of partial control as at present through the Interstate Commerce Commission and unless that full control is exercised so as to give low rates as well as protect investors, there is no escape from government ownership. The situation may run along for a few years but the contest is certain to rise again when prices of agricultural products again go down or manufacturing or trade becomes stagnant. Then government ownership may loom large indeed.

Looking to the perpetuity of republican institutions, government ownership of any line of business is highly dangerous. Employees would then vote to improve their condition. There would arise conflict between interest and public duty. Interest would control. So also state would be against state; locality against locality. All would be demanding selfish advantage and storming Congress to obtain it. The only way of taking the railroads out of politics now and hereafter is to place their control in the hands of a Federal Railroad Board, similar to the present Federal Reserve Board. And unless the railroads are taken out of politics they will be a continual menace to republican institutions. A Federal Railroad Board may look like putting the railroads into politics, but close government control is here already and is here to stay. The method of control is the important thing. The present method needs to be simplified and rendered complete and divorced as far as possible from politics. A Federal Railroad Board is inevitable and may prevent government ownership.

CHAPTER XXV

WALL STREET AND WALL STREET BANKERS

New York knows values. Some uncharitable people say it knows nothing else. New York is a great mart, where he who has anything to sell, intellectual or material, may find a market. New York in the long run is eminently just in the valuation it puts on men and property. Everything is weighed in the balance.

Wall Street knows money. It knows the present and potential value of money. It is a great reservoir and mart of liquid capital. It analyzes every proposition involving money and its judgment is almost unerring. Like money itself, Wall Street is cold, impassive, impartial, and judicial. It studies men and money and deals in both. As Lord Bryce says: "Wall Street is the great nerve-centre of all American business; for finance and transportation, the two determining powers in business, have here their headquarters. It is also the financial barometer of the country, which every man engaged in large affairs must constantly consult, and whose only fault is that it is too sensitive to slight and transient variations of pressure."[1]

London and New York are the financial centres of the world and from them liquid capital flows to the uttermost parts of the earth, wherever there is enough profit for the risk. Liquid capital like quicksilver runs here, there, and everywhere. If rates are high in Berlin it goes there; if high in France it goes there. It disregards national enmities and prejudices. It takes great risk in doubtful countries, lured by the prospect of great gains. It is the calm health of nations — nature's great restorer. It is the enemy of war, the friend of peace and well-being. It seeks character, national and individual. It unifies the world. Like mercy

> "It droppeth as the gentle rain from heaven
> Upon the place beneath; it is twice blest —
> It blesseth him that gives, and him that takes."[1]

As the National City Bank's monthly publication for November, 1928, says: "The benefits of the international flow of capital are widespread. The backward regions are brought forward, the aggregate of world production is enlarged in the most economical manner, the trade of the world is increased and the general welfare is advanced, with the benefits of such development widely diffused."

There are two kinds of Wall Street bankers; sellers of bonds and bank officers.

The sellers of bonds are partly retailers of bonds, partly promoters, and partly financial doctors of decrepit corporations. In time of war or after a war they also promote sales of government bonds, foreign and domestic. They are not cheap men in resuscitating comatose corporations. But they are necessary and useful. They can raise capital by making up underwriting syndicates or furnishing the capital themselves. They always aim to sell, so as to have their capital free. Bond selling is the life of their trade. They will also handle stocks if the pay is good. They are in close touch with banks, to borrow money on bonds as collateral. Hence they are directors in banks, trust companies, and insurance companies — vast reservoirs of liquid capital. There is great community of interest between bond houses and bank officers. Each furnishes recruits for the other. During the past twenty years a new mode of underwriting and selling bonds has arisen. Companies for that sole purpose have been formed by great banks and trust companies, with the control tied up with the bank or trust company. That practically puts the bank or trust company into the underwriting and bond selling business.

Now all this is necessary if money is to be supplied to American industries and foreign governments. London formerly furnished that money and still furnishes much, but not so much as Wall Street. The system is now established. Moral responsibility is gradually putting the business into the hands of reliable bond selling corporations, allied to banks and trust companies. Personal speculation is being decried. Financial scandals, incident to the formative period of all industries, occur, but the bond houses are becoming more conservative and reliable.

Wall Street is the natural home of the promoter. There will be found the adventurer from every state and from abroad. "The Street" is a vast reservoir of cash and besides can sell securities all over the country. It is a lure for the whole world, including foreign governments. Bankers are sometimes drawn into the maelstrom and not always to their credit. The fact is that banking has no legitimate connection with promoting. Nor are bankers qualified to direct the policy and operations of railroads and industrial institutions. The business of bankers is the receipt and loaning of deposits. The London Statist well says, "Experience has demonstrated that no banking house can perform the double task of carefully and impartially weighing the claims of borrowers of the savings of the investing public and of directing the affairs of every large borrower it assists to obtain capital from the public."

Bankers in control of a corporation always want to be doing something, in making the stock active or buying something or selling something or issuing notes, stocks, or bonds. Wall Street delights in changing, consolidating, reorganizing, and recapitalizing old and new concerns and combinations. It is a mistake to think that Wall Street wishes to control industry or government merely from ambition to control. Wall Street wants control to make money. Wall Street always wants to buy something, change it and then sell to the public, whether the property be a factory or a railroad. Wall Street sometimes strikes below the belt, and will wait for years to accomplish its purpose by detecting or creating a vulnerable spot in the armor of its victim. Then it is ruthless, as cruel as Moloch. Money is the God. Wall Street never attacks a full grown wolf, but will devour a crippled one, shot from the sled.

The speculative element of Wall Street is responsible for two recent corporate innovations — no par value stock, and depriving stock of its voting power. No par value stock enables promoters to issue a million shares for one hundred dollars received by the corporation. It creates a corporation without a *corpus*. In one recent case the promoters issued seven and a half million no par value shares, but they evidently overshot the mark and so reduced the shares to one and a half millions.[1] In some states a million shares of no par value may be issued for a yellow dog and no undue publicity given to the dog. Obviously the inherent value of no par value stock is the cost of the certificates, and the value of the yellow dog is equally negligible. Substitute for the yellow dog a wind-broken equity in a property and you have the basis of much no par value stock issued in these days. Now the objection to all this is that it renders fraud easy and safe. Under the old system where stock had a par value fraud in the issue of stock involved more or less liability. The issue of no par value stock for property is not fraud in itself but it is wonderfully well adapted to selling the stock safely to the public at a fraudulent price. It leads to stock gambling and unfair practices by which the promoters sell out to the public and vanish with the profit. The old system of watered stock was bad enough, but here the stock may be all water and the corporation a financial myth.[2]

So also as to that other ingenious invention of depriving stock sold to the public of a vote at corporate meetings, thus confining the voting power to stock held by the promoters. This enables no par value promoters to bottle up the control and then hold the bottle. This is power without risk of loss. The other stockholders have no vote and hence cannot turn them out.

Meantime the investor is separated from his investment and has no mortgage to protect him. The promoters can keep the control until they can sell out at a high price and again vanish with the profit. Professor Ripley attacked this whole scheme and at once the conservative element in Wall Street, acting through the Stock Exchange, responded by announcing that there is a limit beyond which this practice as to common stock might not be sanctioned by listing on the Exchange. A few days later, on March 3, 1926, the Interstate Commerce Commission in disapproving the proposed Nickel Plate, Erie, Chesapeake and Ohio, Pere Marquette consolidation, said as to depriving the preferred stock of a vote: "We cannot escape the conclusion that the plan was arranged with the intention of keeping control in the hands of its proponents even though their interest is a minority one in fact. Such an arrangement is not in accord with sound railroad practice. The Nickel Plate is the only railroad of importance in the country in which preferred stockholders do not have the right to vote, and now it is proposed to extend this feature to over $155,000,000 of new stock of a company comparable with the New York Central, Pennsylvania, and Baltimore & Ohio. The common stock of the New Company will not greatly exceed $174,000,000 out of a total capitalization of over $950,000,000. We believe it to be self-evident that the public interest requires that the entire body of stockholders of a railroad which is bonded in excess of one-half of its investment, and not a powerful few, shall be responsible for its management. This can be done only by giving them the power to control the management. The lethargy of ordinary stockholders in exercising their power to control the management of these large corporations has often been commented on, but nevertheless the power should be in their hands to use as they see fit. It is inimical to the public interest to strip stockholders of their voting power, thus rendering it so much easier to control a great transportation system by a comparatively limited amount of investment."[1]

The sharpest teeth of Wall Street were pulled by the Federal Reserve Bank Act. Formerly the great capitalists at a time when loans were excessive and topheavy would suddenly through control of the banks tighten the purse strings, call the loans, demand more collateral, raise the rate of interest (sometimes to a third of one per cent a day) and when the unlucky borrower could not respond sell out the collateral on a rapidly falling market, and the capitalists would be there to buy at a low figure. This was called a "panic." It certainly was a thunderstorm that carried down everything weak. The Federal Reserve Banks now render such spoliation impossible. Those banks stand ready to furnish money when frantically needed and then gradually force liquidation because speculation is excessive. There have been no panics since that Act was passed and there will be no more except possibly in a world cataclysm.

Wall Street has the reputation of being grasping and hard.

Grasping it has been and to some extent still is. Forceful men with great opportunities are always so in a formative state of industry. Later such acts relegate the doers to the category of promoters and adventurers. Men love power, and wealth is power. In a crude way display of wealth gratifies vanity and social ambition. The sordid grasping spirit, however, sooner or later becomes a reproach. The bond houses and bond companies will always take what they can get and get what they can, but competition is reducing their commissions and underwriting charges. Large issues of bonds and stocks cannot be floated without them and they know their power. To some extent they combine, but no anti-trust law is necessary to keep them apart. Their camps are those of an armed truce. They *are* grasping, but competition keeps down the price. As the world goes the commissions charged by Wall Street for buying and selling securities are not excessive — from one to five per cent. The corner grocer and butcher takes from fifty to one hundred per cent with little capital and less brains. And the Wall Street houses guarantee results. They underwrite the securities, in other words, they themselves keep what they cannot sell. Of course when the bankers insist on a block of watered stock as a bonus, that is another story. That is promoting.

Wall Street is also *hard*, but financiers have to be hard in self-defense. They deal in hard propositions. Every promoter has designs on them because they hold the reservoirs of cash and credit which supply and largely govern the world. Abuses occur when they call loans to buy securities cheap, but that practice has become discredited. He who enters Wall Street knows that it is not a philanthropic institution and that self-preservation and self-interest govern. Speculators and promoters meet their match in that Street. It is a mausoleum for the weak; a citadel for the strong. The hits are history; the misses are mystery. Even gratitude is in Wall Street a lively sense of favors to come.

The two old indictments against Wall Street, that it fomented panics and looted railroads, have passed away, the Federal Reserve Board now preventing the former, and the Interstate Commerce Commission the latter.

Wall Street bank officers are as a rule not the strongest men in the "Street." They generally have come up through the ranks in New York or elsewhere. They are only occasionally speculators after becoming bankers and then their speculations are a menace to themselves and their institutions. The time may come when all Wall Street bank presidents, like a judge, will refrain from speculation. Even now they generally decline to be directors in anything except their own companies, and let reorganization committees alone.

Few Wall Street bankers are succeeded by their sons. The intellectual demands are too great; the strain too exhausting; the allurements of indolence and luxury for the young too enticing. The three generations of Morgans are exceptions, but they came from sturdy New England stock. They are and always have been highly patriotic and, like the Rothschilds, train their sons for world-wide finance.[1] The average banker, however successful, has a meteor-like career and then his fortune falls into feeble hands. Leadership is not inherited or handed down. New men come to the front, and then like a blazing coal glisten and die out. Guy Emerson states that of 100 important officers and directors in Wall Street, 42 were born in little towns throughout the country; 30 were born in medium sized cities; 28 in cities of over a million, and of this last only 13 in New York City.[2] Wall Street men are not all stony-hearted sons of Mammon.

And it is a mistake to think that very great fortunes are made in Wall Street. Morgan, Baker, and a few others are exceptions. Huntington, Vanderbilt, Hill, and Harriman made their money in railroads; Rockefeller in oil; Carnegie and Frick in steel. Most of the local large fortunes were made in real estate, like Astor's. The spectacular of the "Street" appeals to the imagination and supplies copy for the press, but salaries and commissions do not produce fortunes equal to those due to natural resources and the growth of population.

Morgan said he banked more on a man's character than on his money. That is Wall Street. Nowhere does the combination of honesty and ability rank higher. Enormous transactions go by word of mouth. Nowhere is reliability more absolutely necessary. Wall Street is slow to bestow confidence, but once given it is absolute and forms the basis of millions. And nowhere is a crook sooner discovered. He is a "marked" man. He may find associates in Wall Street and run with the wolves, but sooner or later he is driven out. He is a menace, and for self-protection Wall Street eliminates him. The practices of Gould, Fisk, and Drew would not be tolerated in these days. The bankers would unite to put them out of business.

Wall Street has changed during the past thirty years. Underwriting and selling bonds and stocks by syndicates reaching out through the country is a recent development. Formerly that method was found in London alone. Now, owing to the fact that foreign government bonds and federal, state, and municipal bonds, and industrial bonds are issued by the billion and sold in Wall Street, the English method of handling such issues has been adopted. And with it the English sense of honor in dealing with the public and the parties issuing the bonds is also being followed. With the vast wealth of America nothing is more important.

We come now to the two chief things which give Wall Street its reputation, good or bad; namely, the Stock Exchange and Capital.

(1) The Stock Exchange is the agent of Wall Street. That Exchange furnishes a market for the world in selling and buying securities through Wall Street houses and banks. It is also a maelstrom of speculation. Speculation in stocks, sometimes called gambling, is a natural mode of transferring capital from incompetent into competent hands. When rich young men speculate and lose, no harm is done; when others speculate the result is generally bad. But these are the dark spots of the Exchange. Unfortunately they are spots most talked about, and Wall Street's reputation suffers in consequence. The proportion of speculation to investment on the Exchange no one knows and no one can tell, but it is certainly high enough. It has its uses as well as abuses. It furnishes buyers when there are too many sellers. It prevents panicky declines and tempers booming advances. Like speculation in grain it has its legal as well as illegal side. The Supreme Court very properly holds that "short" sales and "hedging" are not illegal *per se*. Without the Stock Exchange, as the connecting link between the issues of securities of governments and corporations on the one side and the investing public on the other, the financing of the world would be crippled. Without Wall Street as a market, industry and trade would go with halting foot.

(2) Capital. Wall Street is capital and represents wealth. In time of war Wall Street is superb. It rallies to the support

of the government, spontaneously and unanimously to furnish money — the sinews of war. At such times it forgets gain and contents itself with little or no profit. Through a thousand channels throughout the country it organizes the machinery to sell billions of government bonds. Then its patriotism bursts the thick shell of selfish gain and flames up. It is capital supporting the government. In the World War Wall Street took and sold billions of government bonds for cash — the sinews of war. As John Moody says, "Wall Street emerged from the war with greatly enhanced prestige. Without the financial support which it placed at the Government's disposal, without the mammoth industrial organization which America had developed since 1865, the United States would have counted for little in the struggle." [1]

The uses and abuses of wealth are the uses and abuses of Wall Street. But it is intelligent, far-seeing wealth, not the stupid, ignorant, arrogant, spendthrift kind. Revolutionary doctrines in the United States meet their Waterloo in the bankers, scattered throughout the country and representing the commercial and conservative classes. He who has read of the inside forces which caused the adoption of the Constitution of the United States, especially its adoption in New York State, knows that the decisive factor was the commercial and banking classes. And all through our history the bankers have sustained American political institutions. They did it in the Civil War, in financing the government. When occasion calls they are patriots first and bankers second. And to them in troublous times the country turns to organize the defeat of unAmerican doctrines. In these days when great masses of foreigners of foreign speech and ideas neither understand nor care for American institutions, but on the contrary think that they can accomplish their selfish ends by violence and disregard of law and even control Congress, legislatures, judges, and public officials generally, it is well that there is a rallying spot for law and order. This, perhaps, is the best side of the banking business.

Wealth instinctively looks to Wall Street for protection against the raids of legislation and the leaders of union labor. On the other hand, when wealth attempts to dominate the country Wall Street is attacked. The country knows where the citadel of wealth is located.

Wealth is conservative and shy. Wall Street wants no noise.

The farmers and Wall Street are natural allies, although neither knows it. Both want unrestricted trade; both are conservative; both are opposed to all radicals; both favor old-fashioned, simple, inexpensive government; both are opposed to agitation. They disagree as to the railroads, one favoring the investors, the other lower rates, but this is due to the farmers getting less than they earn, while manufacturers and city labor get more than they earn.

Wall Street wishes branch banks throughout the country — the English system. America wants nothing of the kind. The present country banker is a power for good. He and the lawyer run the town; the banker furnishing the solid judgment, the lawyer the quick wit, imagination, and volubility. They are in touch with the real needs of the community and rise or fall with its vicissitudes. The branch banker is a bird of passage, looking to the city for promotion and guidance. On June 30, 1927, there were 15,690 state banks (commercial) and 7796 national banks. In the territory covered by the Federal Reserve Bank of Chicago the member banks in centers of less than 5000 people were 815 in number out of 1324; in other words, over 60%. If the same proportion applies to all banks in the country (and apparently the proportion is much higher) the vast importance of the country banker is clear. From the standpoint of American institutions and good government he is invaluable. But the continuance of the state banks depends largely on state laws making state banks as safe as national banks. Chain banks are neither branch banks nor independent banks. They lack the responsibility of both. The holding company controlling many banks is branch banking in disguise without the financial backing which branch banks have. The English system of branch banks (Canada has much the same system) goes far. Of the "big five" banks in London on January 1, 1928, the Midland had over 1980 branches; Barclay over 1900; Lloyd's over 1750; the National Provincial over 1200; the Westminster 1000. This system gives immense deposits, but none of the five (nor the Bank of England) has a capital and surplus equal to that of the National City Bank of New York — $200,000,000 on February 15, 1929. The deposits of the National City Bank, however, on June 30, 1927, were only $965,041,500, while the deposits, current accounts, etc., of the Midland on January 1, 1928, were $1,871,875,735; Lloyd's $1,785,924,485; Barclay $1,589,106,535; Westminster $1,403,060,100; National Provincial $1,367,986,010; Bank of England $692,696,585; figuring the pound at $5.[1] On December 31, 1928, the deposits of the National City Bank were $1,349,024,386. The branch bank act of congress of February 25, 1927 prevents national banks and also state banks (members of the Federal Reserve System) from having branch banks beyond the city limits where the bank is located.[2]

Nature always gives the advantage to the strong, the powerful, the domination of wealth. Wall Street represents that tendency and natural law. Wealth is there working in its manifold and ceaseless way. Better so than in the dark. The conflict between capital and labor is stimulating and does no real harm. The dangerous conflict is between wealth and character. That is the reason why the South, however incompetent in some ways, is so valuable and necessary to the nation to take charge when the North is dominated by any class. Wealth is represented by Wall Street. Wall Street has character in its dealings, but the tendency of wealth is to dominate, due to the law of nature that favors the strong — and wealth seeks that domination through the concentrated power of Wall Street. However, so long as the character of the people is high, Wall Street and wealth are innocuous, and when that character is gone, as in the declining days of Rome, all is gone anyway. Colonel Ingersoll, the famous agnostic, once said to the author: "Nothing is of any consequence: absolutely nothing." He overlooked the essential thing of all human life — character.

Dr. Johnson said that "men are seldom more innocently employed than when they are making money." On this theory Wall Street is the most innocent place in the world — except when it is losing money.

Success is the star that Wall Street worships. And the worship is not wooden headed nor always profound and not at all continuous. But it is the worship of the old Vikings and of the old Norse song.

"Success shall be in thy courser tall,
Success in thyself, which is best of all,
Success in thy hand, success in thy foot,
In struggle with man, in battle with brute.
Look out, look out, Svend Venved."[1]
You are on Wall Street among bulls and bears.

CHAPTER XXVI

AMERICAN WOMEN

AMERICA, aside from industry and the professions and government, is a woman's country. They control the social life, the religious life, the artistic life, the encouragement of literature, the household expenditures, the customs and manners.[1] And even as to marriage man is beginning to doubt whether after all he does the courting. The writer hereof disclaims any expert knowledge on the subject, but Brander Matthews says of Shakespeare: "From the frequency with which his women do not wait to be wooed, falling in love at first sight and frankly encouraging the men they have singled out, we may deduce Shakspeare's opinion that women are readier to take the first step in love making than is ordinarily supposed."[2] Certainly no one questions Shakespeare's profound knowledge of human nature and everyone admires his charming way of describing the subtle and invisible love-making of his women, especially in Twelfth Night, the Merchant of Venice and As You Like It. In view of the marital shipwrecks in these days the time perhaps has arrived for custom to allow the women to do the proposing instead of the men. The men would be irrepressible anyway. Emerson says, "Shakespeare's creations indicate no sort of anxiety to be understood. There is the Cleopatra, an irregular, unfinished, glorious, sinful character, sink or swim, there she is, and not one in a thousand of his readers apprehends the noble dimensions of the heroine."[3] I venture to suggest that Shakespeare had in mind the supreme power over man of the beauty, charm, and love of woman and that this is what Emerson refers to.[4]

But a more difficult problem is whether man can develop the qualities which unobtrusively have made the women the real masters of the men in so many ways. Henry James says of American women, "the women, over the land — allowing for every element of exception — appear to be of a markedly finer texture than the men, and one of the liveliest signs of this difference is precisely in their less narrowly specialized, their less commercialized, distinctly more generalized, physiognomic character."[1] But James utters a warning as to their power and says that the American woman might well exclaim, "'No, this is too unnatural; there must be a trap in it somewhere — it's addressed really, in the long run, to making a fool of me.'" At any rate, when the power of women becomes too great, especially in government, there is liable to be a reaction. Possibly the growing frequency of divorce is due to the resistance of man to the growing domination of woman in all departments of life except business, even though that domination is due to his own lop-sided development. James continues, "It would be awkward and gross to say that Man has dealt any conscious blow at the monopoly of his companion, or that her prestige, as mistress of the situation, has suffered in any manner a noted abatement. . . . Has not the American woman, with such a start, gained such an irreducible advance, on the whole high plane of the amenities, that her companion will never catch up with her? . . . Is the man 'up to it,' up to the major heritage, the man who *could*, originally, so inconceivably, and for a mere mess of pottage if there ever was one, let it go? . . . With the way really shown them [the women] they would only ask to take it; the way being their assent to the truth that the abdication of the Man proves ever (after the first flush of their triumph) as bad really for their function as for his."[2] Over two hundred years ago David Hume in an essay decried polygamy but said its advocates favored it as "the only expedient for freeing men from that slavery to the females, which the natural violence of our passions has imposed upon us. By this means alone can we regain our right of sovereignty; and, sating our appetite, re-establish the authority of reason in our minds, and, of consequence, our own authority in our families. Man, like a weak sovereign, being unable to support himself against the wiles and intrigues of his subjects, must play one faction against another, and become absolute by the mutual jealousy of the females. *To divide and to govern* is an universal maxim."[1] For ages it has been said that woman is what man has made her. The responsibility has now shifted and man is what woman makes him.

But admitting all of the above and disregarding how and when man's subjection took place, the important question remains unanswered: Is he better off even so? Still disclaiming any expert knowledge I am inclined to think he is. Divorce may be due to man's revolt against this subjection; it may be due to woman's rage that she cannot have her way.[2] It generally is due to man's plain downright badness.

In the dawn of civilization woman often dominated tribal life[3] and still does in some parts of the world. Edith Wharton says: "The Frenchwoman rules French life, and she rules it under a triple crown, as a business woman, as a mother, and above all as an artist."[4] England, on the other hand, is a man's country, owing to the insatiable demand for men to govern and protect a world-wide empire. In America power is divided; man controlling industry, capital, machinery, science, and inventions; women all else. Woman's handicap is not sex but lack of economic independence. And yet great is Diana of the Ephesians. Somehow, in some way, at some time, America will have to work out a workable plan, reconciling the differences, the same as America is working out the problems of capital and labor. Leadership, force, and organizing ability are traits not usual with women; good habits, conscientious work, and ideals higher than money making, are not too common with men. Meantime the upper classes of women in America now indulge less in frivolous society and give time to public welfare; the middle classes no longer rely so much on marriage but turn to clerical and industrial work; the lower classes avoid domestic service and prefer the factory.

And now they all have the ballot. Its best effect will be that it increases women's self-respect. They no longer are classed with infants. So far as elections are concerned, woman's ballot has not changed results and will not until some moral principle is involved. More votes are cast but the division of votes between candidates is about the same as before. And this is well. Too much is expected from government. Government is not civilization but is one of the indications of how high a point of civilization a people have reached. Government has little control over the conduct of life. Most of the rules and usages of the conduct of life are fixed by habit, example, and respect for the opinions of others. Government and law interfere very little with them. Primarily government is to keep order with a policeman on the corner and twelve honest men in the jury box. Government is but a reflection of the character of the people in the long run. A bad government passes away if the people are sound; it returns if they are unsound. Good government would be much easier if it confined itself to its original purpose, namely, the protection of life, liberty, and property. Sir Henry Maine says women are "in all communities the strictest conservators of usage and the sternest censors of departure from accepted rules of morals, manners, and fashions."[1]

But government has extended its activities in directions which are particularly within woman's sphere — more so than of man's, namely, schools, clean streets, sanitation, health department, hospitals, food profiteering, social evil, sweat shops, honest municipal government, economical government, low tariff, low taxes. Most of these pertain to city government rather than state government. Here is where women's votes and ideas will ultimately prevail over those of the men. They can do better the Nation's housekeeping.

In national questions such as war, a navy, an army, treaties, public debts, railroads and engineering works, men's views will prevail. In savage times woman had no rights and she was the slave of man. Gradually she has been made the equal of man so far as laws are concerned, but she has not acquired and never will acquire men's characteristics required in dealing with these subjects. Her views on these subjects are apt to be wrong.[1]

The danger is that women will go too far. Persons inexperienced in government are apt to discredit reform by reforming too much. A statute not supported by general public sentiment is not obeyed, and that discredits the law. Witness the Volstead act, which is broken all over the country. It even creates a new criminal class — the bootleggers, and demoralizes the police. The fact is that the education of public sentiment is more important than the enactment of a statute, because the former leads to the latter and the latter cannot be enforced without the former. And here it is that woman's influence on government will count more than her votes at the ballot box. She influences her neighbors and her friends. Now that she has a vote her opinion is listened to. By local meetings, discussions, resolutions, and delegates to other organizations, the merit of any proposition can be threshed out. She has more time and inclination to do this than her husband. And she has an interest in good government equal to if not greater than his in municipal and state affairs. She may go wrong for a time, misled by prejudice or personal dislike or inexperience or fads. Her mistakes will be mistakes of the head and not of the heart. But time cures all this, if the mind is sound and the intent good. Helen Taft takes a different view. She thinks that women will be no more scrupulous than men in "playing politics," and will use political tricks and maneuvers as in their clubs, and will be grafters like the men, and some will sell their votes, but "will be enormously clever politicians because of their mingling of finesse and audacity; after they have learned their ground they may outgeneral the other sex."[2] This is not exhilarating nor particularly reassuring. If the women adopt these tactics they will continue secondary to man as heretofore, but women have a wonderful way of getting together to check male perversity, and strange to relate when the women do get together they are nearly always right. Possibly they may break up the uniformity and conformity of American life; inspire new ideals other than fortune making; plough the dead level of mediocrity; and cause America to produce that higher civilization which has been predicted for a hundred years but has failed to appear.

Slowly but intelligently the women are feeling their way in their new sphere of politics. They will be influenced by their husbands, but ultimately husbands will be influenced by them. Women have been educated through the ages to gain their ends by methods of peaceful persuasion and moral strategy and not by force. A separate woman's party would be a mistake. Miss Taft is right when she says a woman's party is impractical, because women are not familiar with politics and would "accomplish nothing except mistakes" and never could or should "swing the women's vote in any one direction," and that they should work with the men so that "the defects of each group are offset by the good qualities of the other."[1] And democratic institutions will be the safer for women's votes, if they are not carried away by "the man on horseback" — the dictator who puts down factions and then makes himself king.

Immigrant women complicate the subject still further. Mrs. Bowlker says, "The ignorant, illiterate, immigrant women have affected to a certain extent the position of all women in America, and therefore it is impossible to comprehend fully the national position of women unless we first understand the problem of the immigrant. The foreign women constitute a very grave menace to our democracy, for they almost invariably represent one of two extreme mental types, both equally dangerous to the stability of our institutions. One type consists of individuals who have sought refuge in America from oppression in their own country, people who have had no previous experience of self-government, and have no conception of the true meaning of democracy — ordered liberty. They come to America brimming over with theories which they hope to practice in the United States; they misunderstand the meaning of the laws and institutions and customs of the country, they misinterpret these things to each newcomer; and, knowing that Liberty begins with a capital 'L,' they immediately proceed to spell it License! It is from their ranks that the labor agitators and anarchists come. The other type of immigrant comprises the opposite mental extreme, clinging ignorantly and passionately to all the ancient traditions and customs, and even to the language of the land of their birth. Their religious belief is almost invariably Roman Catholic or Jewish of the most bigoted and ignorant type, and the women if Roman Catholics are entirely under the influence of the priests. In the state of Massachusetts more than half the population is Roman Catholic, and three-quarters of the people are of foreign birth or parentage." [1]

But enough of politics and government. The important question is whether modern influences are making a higher type of women calculated to preserve American institutions. The old type was certainly very fine and produced a great nation. And the old type is by no means extinct. It essentially is the same today as it has been. Lord Bryce says: "Three causes combine to create among American women an average of literary taste and influence higher than that of women in any European country. These are, the educational facilities they enjoy, the recognition of the equality of the sexes in the whole social and intellectual sphere, and the leisure which they possess as compared with men. In a country where men are incessantly occupied at their business or profession, the function of keeping up the level of culture devolves upon women. It is safe in their hands. They are quick and keen-witted, less fond of open-air life and physical exertion than Englishwomen are, and obliged by the climate to pass a greater part of their time under shelter from the cold of winter and the sun of summer." He also says: "Europeans have of late years begun to render a well-deserved admiration to the brightness and vivacity of American ladies. Those who know the work they have done and are doing in many a noble cause will admire still more their energy, their courage, their self-devotion. No country seems to owe more to its women than America does, nor to owe to them so much of what is best in social institutions and in the beliefs that govern conduct." [1] Hobson, an English writer, says, "The strength of American womanhood lies in the better habits of comradeship and domestic equality among the great hardworking settled masses of American citizens in the farms and villages and smaller cities, where the steady pressure and the sober earnestness of daily life do not lend themselves to feminine excesses." [2] Now the new type may be more intellectual but may be more mannish and may break away from the ancient moorings of the home, the simple life and domestic habits. Men and the world are changing rapidly, and women are being drawn into the vortex. Whether the charm and grace and principles of cultivated American women, recognized the world over, can survive these profound changes is a question, serious and far reaching. It may be well to analyze the subject a little.

In religion woman is the bulwark of the church and the church has done much for her in establishing the human institution of marriage, care of children, and morality. But the church is on the rocks. The forms, organization, and beliefs of the old religion are being outgrown. A new religion of character, the worship and practice of high ideals, based on intellect, culture, and principles is slowly being evolved. It is principle carried into practice and example. Stawell says "If the idea of the splendour and perfection of the universe has sunk into the background, if the sense of worship and the feeling of ecstasy have been dimmed (and I think they have), at least the reverence for heroism and for tenderness has not been impaired, and there after all lies the root of human majesty. There is deep pathos in the change, but maybe, paradoxical as it sounds, deep hope as well." [1] The greatness of a people consists, not altogether in its laws, art, science, literature, religion, philosophy, inventions, wealth or power, nor in its great men alone, but in the average character of its citizens. Raise this and you raise the nation. Now nowhere do people search for and rally quicker under reliable leadership than in America. A strong and trustworthy character is no sooner found than trusted.[2] This is true worship — worship of the American kind. And here the women will respond. Their instincts and intuitions always have been and always will be superior to those of men, and they are quite willing to accept leaders if those leaders are honest as well as able. The old beliefs as to the hereafter are fading away and something must be supplied to take their place, especially with women. They will work this problem out better than the men.

In the arts and sciences, in literature and inventions, the doors are wide open to women, but with many brilliant exceptions their minds are not creative. In business, manufacturing and industry, competition is too rough, cruel, and relentless for the fine qualities of the feminine mind. In medicine they do well; in law not at all. He is a bold man who attempts to say what women are not capable of doing, but I venture to suggest that as a class they will not be great inventors or industrial leaders or financiers or leaders of the bar. I do not go so far, however, as to agree with Governor Winthrop of Massachusetts who would be horrified and disillusionized if he could revisit America today. He wrote in 1645: "The Gov. of Hartford, Ct. came to Boston and brought his wife with him. A goodly young woman of special parts, who has fallen into a sad infirmity, the loss of her understanding and reason which has been growing upon her divers years by occasion of her giving herself wholly to reading and writing and had written many books. Her husband being very tender and loving with her was loth to grieve her, but he saw his error when it was too late. For if she had attended her household affairs, and such things as belong to women, and not gone out of her way and calling to meddle in such things as are proper for men whose minds are stronger she had kept her wits and might have improved them usefully and honorably in the place God had set her."[1]

The world has travelled far since Winthrop wrote that letter but the world has travelled not at all since Shakespeare a few years before Winthrop's time penned these immortal lines

"Take, O take those lips away,
  That so sweetly were forsworn;
And those eyes, the break of day,
  Lights that do mislead the morn."[2]

Women have a right to have something to say about public welfare and the home and family. This would seem to be quite enough. If woman becomes mannish, her influence over man will decline, and manners, customs, and morals will deteriorate; family life and home will become secondary; children more worldly-wise, worldly, and selfish; childbearing avoided. The United States Census demonstrates that this last has not yet taken place, not even as to the families whose lineage runs back of 1790. It remains to be seen how far and how soon, if at all, the wonderful qualities of the American woman are to be modified by the new environment. It is a mistake to think that women should live the same lives that men live and do the same work that men do. War, the ballot, and the opening of all pursuits to women have loosened the ties of the family and morality, but when the women find, as they will, that it doesn't pay to break away from the protection and support of men, and the influence of men on children, and that they, the women, are sacrificing the status which they have slowly and painfully acquired through the centuries,[3] and that the men are quite willing to evade restraint, the women will return to the old life with greater influence and more real liberty than ever before. Bishop Manning of the New York diocese in June, 1927, denounced professors, universities, etc., who proposed "Unwedded Unions."[1] If he had named any university it would have closed its doors for lack of students. It seems incredible and yet the Bishop must have felt that the danger is real. And it is real if the women will tolerate it. Humorous remarks about marriage generally come from the men, not from women. Even a sage philosopher asks, "Is not marriage an open question, when it is alleged, from the beginning of the world, that such as are in the institution wish to get out, and such as are out wish to get in? And the reply of Socrates, to him who asked whether he should choose a wife, still remains reasonable, that 'whether he should choose one or not, he would repent it.'"[2]

There are three points of view from which to approach this subject.

(1) That of the woman. The economic basis of all life — the need of food, clothing, and shelter — necessitates some lasting tie that obligates man to support his mate. Hence marriage. Rich women may rely on their own property, but there are few rich women, and other women have to live poorly or marry or support themselves. True the present greater freedom of women enables them to earn their own living, but the competition of numbers keeps down their wages and if they are to have children, who is to take care of them? And with increasing population the struggle for existence grows more intense. In all civilizations man is expected and required to support the women and children. And some kind of marriage is adopted to bring this about. The plan of one husband and one wife produces the best results for the children, for the state, and for the women — man being merely the king pin of the wagon. Let the women beware before they withdraw that king pin. Love as the basis of marriage is the ideal basis but is very far from being the sole basis in the history of the world. Companionship is the more durable.[3] Professor Conn says: "The feeling of affection is said to play

absolutely no part in the marriages of primitive peoples, as illustrated by savages; a condition of things which is still more common among most races of civilized men than marriages for affection. But a union made from such motives, in civilized as well as savage races, is subsequently cemented into a permanent bond by the children, who become an object of common interest to both parents."[1] In view of the fact that marital troubles are chiefly due to the couple seeing too much of each other and being too sure of each other, *those* are the problems which call for experiment and study. Companionate marriage would be a poor makeshift and can never be made respectable so far as the woman is concerned. With men it is different. The average man in the upper and middle classes is a natural buck (nature made him aggressive), caught and tamed only by the lasso of matrimony. He is cosmopolitan in his tastes and seeks variety. Man would like very well a temporary "companionate marriage" to enjoy youth and beauty, and then off with the old and on with the new, and thus escape the restrictions of law; the social demands and condemnation; the financial responsibility for his mate.

Marriage was instituted, not for the benefit of the men, but for the protection of the women and children, and the transmission of property and position. Unwedded unions may be exhilarating in the heyday of youth, but later when the young woman wishes to marry and have a home and children she will find that men prefer a maiden, pure and undefiled.

(2) Will these proposed experiments produce sufficient children, sound in body and mind? That is the real test and not the so-called happiness of the parents. The perpetuity of the choice races and the safety of the state are involved. So far marriage, and especially monogamous marriage, has given the best results. The earning capacity of the man is utilized to rear the children. Any scheme or compromise which ignores that fact will fail. Nature has overloaded the sex passion to perpetuate the species and that always will lead to irregularities, but that is no reason

why irregularities should displace an institution which embodies the wisdom of the ages.[1] Children need the influence of the father as well as that of the mother. Illegitimate children do not have proper bringing up and unless America is prepared for the appalling illegitimacy in London and Paris the old institution of marriage will have to be maintained. There is no objection to divorces if there are no children or if the children have been weaned. Freedom of divorce prevents the couple being too sure of each other.

(3) The State. On the character of the children depends the safety of the state. American institutions and their preservation are at stake. Of course we cannot return to the Spartan plan of rearing children for state purposes only, but the state has a right to insist that children be legitimate; that they have the care of both father and mother; that divorce be grudgingly granted where there are young children; that the children be given a common school education; that bad literature and bad shows be kept from them; that they be not prematurely worked or overworked; that no substitute for marriage be sanctioned by law. All this is what the state does now with some exceptions. All this is necessary for the continuity and preservation of the state. The children will rule the state in the next generation. On them all things depend. Their character is sacred if there is anything sacred left in the world.

Our civilization is based on the family and private property. The family tie protects the woman, the children, and the state. The woman is handicapped in accumulating property for middle and old age and needs protection. The children's character is formed in the family. The state would lose its stable citizens under the proposed system and in fact would lose the class of children it most needs. Legalized immorality is no cure for unrestrained passions. The women themselves will solve this whole problem better than the men. Their superior nature on this question will assert itself and their power is very great. "A severe morality," says Emerson, "gives that essential charm to women which educates all that is delicate, poetic, and self-sacrificing."[1] "Chivalry has a place," says Tracy, and he adds: "Even purity, laughed out of court under the dispensation of the latest incarnation of the Jacobins, realizes itself a deference to the rights of personality as superior to appetite in the relation of woman to man. There is paved the way for a freer relation, instead of the sham one which the cult of the emotional expansionists is so anxious to break down; but that relation is based less on appetite than upon restraint. The restraint itself is based on capacity to see and feel the harms that a lawless conduct brings to finely organized minds; not upon some effete code of manners or accumulation of prudish patterns, as some have supposed."[2] And the vital importance of the family in all civilized life is not to be overlooked nor underestimated. Professor Conn well says: "The family has continued to remain the foundation of society through all the vicissitudes of the rolling centuries. It has had many attacks made upon it, sometimes consciously, sometimes unconsciously. Plato in his ideal republic attempted to overthrow the family organization. In later centuries various sects have attempted to produce the same result. The Anabaptists and Shakers are sects organized with the endeavor to overthrow the family, and ever and anon other religious sects have appeared with this same purpose. Sometimes the family organization has been almost overthrown. At the time of the Roman Empire the immense development of wealth and the attendant corruption reduced family life to its lowest ebb, and almost destroyed it. To this destruction of the family life in the Roman Empire not only the wealth and corruption of the ruling classes contributed, but also the abject poverty of the dependent classes; and under the magnificence of the one class and the grinding poverty of the other the family nearly disappeared. But a few centuries later the family was reorganized with redoubled intensity. In the feudalism of the Middle Ages the family principle was elevated to a plane never before and never since attained. The family became, under feudalism, the center of stability, the center of power and property. The church, too, made marriage a sacrament, thus putting its powerful religious seal upon the family. But after feudalism disappeared another principle began to undermine the unity of the family. The priesthood degraded it and largely destroyed it. The last few centuries especially have seen the growth of another influence against the family, which we call individualism. Under its influence the individual again comes to be the center toward which government and progress are directed. This individualism began, or at least received its greatest impetus, in the Reformation that occurred under Luther, for at this time the conscience and intelligence of the individual was proclaimed as the guiding principle in religious belief. Individualism has been immensely fostered in recent centuries by the growth of Protestantism, and so fast as it gains the upper hand just so fast is there a tendency toward undermining the significance of the family. In modern life the family does not mean what it meant in many centuries of the world's history. Our modern society, with its social and club life, and its great and increasing tendency toward divorces, is again aiming heavy blows at the existence of the family. Our scientific studies have also tended to undermine the family influence. Eugenics is pointing out to us in no unclear light that, whatever may be its social value, the family organization as it exists to-day, at least, in modern civilization, is not adapted for breeding the best type of men. The conditions of civilization, instead of producing successive generations better and better equipped, are fostering weakness. The marriage customs of civilization tend to transmit disease and produce in the human race a general tendency toward retrogression. This testimony of science is another attempt to overthrow the force which has been the guiding principle in civilization. But in spite of all the scientific, political, and social forces which tend to disintegrate the family interest, the family, though sometimes almost disappearing, has again and again come to the front and still remains as the unit of organization in our present civilization. Since the family has been able thus to resist all of these adverse tendencies of the centuries, since it survives the rise and fall of empires and nations, since it survives the corruption that comes from success and the misery that comes from failure, since it survives the insinuating effects of individualism and of scientific argument, it is very clear that there are some mighty forces underlying its organization, forces which are greater than the exigencies of politics or of science, forces which have clearly been guiding principles in the development of mankind through the ages. These forces that bind together the family, that reorganize it anew upon the ruins of old civilizations and enable it to withstand all of the attacks made upon it, must be fundamental forces lying at the basis of civilization. These forces are, first, the fact that the family is a natural unit arising from reproduction; second, social instincts; third, desire for protection and power that comes from union; and, fourth, the interest and love of the members for each other. These together make a combination that no exigency of religion, politics, or science has been able to overthrow."[1]

The family is a law of nature, and nature laughs at efforts to thwart her laws. When a whole people, like the Romans, violate nature's family laws, nature punishes them by annihilation. The family does restrict the independence of woman but that is not due to inferiority of qualities. Man and woman supplement each other and each has different characteristics. Why not admit that in some mental qualities man is superior to woman, while in other and equally important mental qualities woman is superior to man? All this is due, not to environment, but to inherent and inheritable mental differences from birth. Sex means more than reproduction or physical strength or competition.

The views of Gina Lombroso, a doctor, are highly interesting.

She says that "Injustice begins when woman does not receive for the work she accomplishes, which work includes housekeeping and the bringing up of children, that glory, esteem, and public admiration which are so readily rewarded for masculine work."[1] And yet she does not hesitate to say: "There is no use denying it. Woman is not man's equal. . . . The fundamental fact which determines woman's attitude toward life is that woman is alterocentrist, that is to say, she centers her feelings, her enjoyment, her ambition in something outside herself; she makes not herself but another person, or even things surrounding her, the center of her emotions; and usually this person is someone whom she loves and by whom she wants to be loved, husband, son, father, friend, etc. . . . Man is not like this. Man, like all living organisms unstamped by potential maternity, is egocentrist, that is to say, he makes himself and his pleasures and his activities the center of the world in which he lives." Again she says: "Woman's indecision and her helplessness in deciding her own affairs, her need of a man to counsel her, is the cause of much of woman's admiration for man, whom she unconsciously looks upon as a protector. . . . Woman is happy when by her indecision and helplessness she attracts the attention of a man strong enough to guide her, who can lend her his egotism and aggressiveness, who can defend her, direct her, protect her, and use her activity and ardor to the best advantage. . . . Woman is submissive because at heart it does not displease her to obey man, especially if she happens to like him."[2] And again: "She does not care, like man, for general recognition, nor for the judgment of posterity. . . . Maternity gives to woman's mind an imprint of altruism that colors her whole life. It marks her mind as well as her heart with a distinctive stamp; it marks women who have children and those who have none."[3] But she says, "Men have no or very little intuition. . . . Man has a certain amount of intuition. . . . The scientist requires it for his experiments, the writer and the historian in order to describe the facts and events he deals with. But on the whole man's mentality is characterized by a faculty of deduction. Even when man is moved by intuition he continually tests it by reason. He does not believe in his intuitions until they have been backed up by logic and facts. Intuition is a guide which man consults now and then but which he could do without. Woman, on the other hand, is absolutely dependent on her intuition, not only practically but theoretically. What woman does not understand intuitively she will never understand. . . . Intuition is a natural faculty received at birth, a gift of God, like reason and the power to meditate. But, like other mental faculties, it has certain attributes that help it along and augment its power, and among them is the faculty of observation and introspection. Although in a sense intuition is based on nothing definite, it is helped along by facts, sounds, expressions in others, as well as by our own reflexes."[1]

The above puts it rather strong, and yet it is said that when Coleridge had a difficult problem he would submit it to a superior woman, and after she gave her opinion and began to give her reasons, he would say in substance, "I don't want your reasons; they are all wrong; but your intuitive judgment is unerring." Mrs. Gallichan says: "Women have greater receptive powers, retain impressions better and have more vivid and surer memories; for which reason women are generally more receptive for facts than for laws, more for concrete than for general ideas. The feminine mind shows greater patience, more open-mindedness and tact, and keener insight into character, greater appreciation of subtle details and, consequently, what we call intuition. The masculine mind, on the other hand, tends to a greater height of sudden efforts, of scientific insight and experiment, greater frequency of genius, and this is associated with an unobservant or impatient disregard of details, but a stronger grasp of general ideas." She is not so sure about this but says, "Few will deny that women are more instinctive than logical; more intuitive than cerebral. Men find their conclusions by searching for and observing facts, while women, to a great extent, arrive at the same end by instinct. *They know, rather than know how, or why, they know.* . . . It is proved — if scientific determination of such qualities were necessary — that women are more sensitive to suggestion and receptive of outward influences; that they have keener affectability, and thus tend to be more emotional and, within certain limits, more imaginative than men. They react to both physical and psychical stimuli more readily, and it would seem that their brain action is more rapid. Experimental tests have shown that in respect of quickness of comprehension and intellectual mobility women are distinctly superior to men. . . . The intuition of woman is really direct vision and means only a quicker power of reasoning. Exactly the same quality must be acknowledged as distinguishing the genius. He, too, *knows, rather than reasons how he knows.*"[1]

In view of all this man may begin to wonder what he was born for other than a grind.

However that may be woman is certainly very different from man in that she is more emotional, unselfish, and altruistic. She may be illogical, delightfully disdainful of facts, unable to see any good in what opposes, but she is emotional because she is ruled by love, by sacrifices for her children. Man is non-emotional and selfish from the necessity of earning a living. He relies upon himself; woman relies upon others. As Emerson says: "Woman should find in man her guardian. Silently she looks for that, and when she finds that he is not, as she instantly does, she betakes her to her own defenses, and does the best she can."[2]

Wealth of womanhood is worth more than all other wealth. It controls the future. When the womanhood of Rome went everything went with it. It is a mistake to say the women are what men make them. From the cradle to the grave men are molded by women's tact and ideas of life.

Men are apt to sacrifice governmental principles to personal aims. Women are more self-sacrificing, conscientious, and devoted. When they come to understand the Constitution and the American institutions it represents, as they will, they will be its most persistent and consistent supporters. And then there are the children. At a tender age they imbibe the principles and teaching of their mother. If they are reared to revere their country and uphold its austere institutions, the future is safe. In Rome this influence was not enough to stay the corruption of conquest, but there is no more beautiful picture than Cornelia and the Gracchi.[1] The nature of woman is higher than political institutions. She looks beyond to a reunion with those who have gone before. Affection is her finest characteristic, inborn throughout nature. With her life is but a parting "till we meet on that beautiful shore." [2] If affection ceases to dominate the American woman her domination of the situation will increase but the family and American civilization will crumble. It will not happen. We have not yet reached the declining days of Rome.

The influence of a superior woman radiates through this world and the world to come. Emotion is the raw material of character.

CHAPTER XXVII

THE LAWYERS

THE people themselves are the ones who must preserve republican institutions and meet new problems by new solutions. But they will need leaders, and here the legal profession is indispensable. It is a curious fact that although the lawyers are made the butt of jokes, yet the legal profession has always led the people and has always been trusted by the people. De Tocqueville in his celebrated work on "Democracy in America" explains this by saying: "The government of democracy is favorable to the political power of lawyers; for when the wealthy, the noble, and the prince, are excluded from the government, they [the lawyers] are sure to occupy the highest stations in their own right, as it were, since they are the only men of information and sagacity, beyond the sphere of the people, who can be the object of the popular choice. . . . The people in democratic states do not mistrust the members of the legal profession, because it is well known that they are interested in serving the popular cause; and it listens to them without irritation, because it does not attribute to them any sinister designs."[1]

The American government has been and essentially is a government by lawyers. Of the 30 Presidents 23 have been lawyers; of the 44 Secretaries of State 42 have been lawyers; all of the Attorneys General; all of the judges of the federal courts; of the 56 Signers of the Declaration of Independence 25 were lawyers; and of the 55 framers of the Federal Constitution 31 were lawyers. In the last Congress nearly two-thirds of the Senators are lawyers (62 out of 96) and over half of the Representatives (279 out of 435).[2] In 1920 there were but 122,519 lawyers, judges, and justices in this country of over one hundred and five millions of people. Never before in the history of the world has so great and intelligent a nation been governed by so small a body of men. The reason of all this, as expressed by Senator Hoar, is that "The lawyer is the chief defense, security, and preserver of free institutions and of public liberty." [1] It is a curious fact in contrast with the above that through the whole history of Massachusetts prior to 1761 only two lawyers appear to have been members of the House of Representatives.[2] The preachers governed the colony.

The Constitution of the United States depends for its meaning on the bench and bar. Henry Adams, writing in 1889, said that after the failure to impeach Justice Chase of the Supreme Court of the United States in 1805, "Henceforward the legal profession had its own way in expounding the principles and expanding the powers of the central government through the Judiciary." [3] That was over a hundred years ago and has been verified by our intervening history. For nearly a hundred and forty years the Supreme Court of the United States has been applying the Constitution to new conditions and the baffling problems which have arisen. That court is the keystone of the arch; without it the structure would fall into ruins. I join with the clerk of the Supreme Court when he opens the sessions by saying "God save the United States and this honorable court." It is the greatest court that ever existed; never before has a court been called upon to reconcile a division of sovereign powers; never before has a court had power to annul the statutes of forty-eight sovereign states and of a federal sovereign government.

As already stated, the bewildering maze and labyrinth of American constitutional law is something new in the world. It has supplanted the divine right of kings. It has arisen from the American dual government and is the guardian of that dual government. It has piloted the two ships of state, state and federal; otherwise they would have collided and sunk. It is at once a vindication of the American bar and a challenge to it to live up to its principles. It is no occasion for smugness. It is a call to combat. It is an alarm bell that any decadence in the legal profession imperils the public safety. Edmund Burke said, "He trespasses against his duty who sleeps on his watch, as well as he that goes over to the enemy." [1] It is a summons to the American Bar to put itself in order and keep itself in order. It demands character, learning, and business ethics — ethics to temper the industrialism of the age. And the courts will do their part. They are the finished product of the bar, elevated to the bench to personify the law.

In the conflict of interests of different sections there looms always the danger of the nation falling apart, the same as threatened the latter days of the Roman republic. That republic was finally held together by the despotism of the Cæsars and the sacrifice of democratic institutions. Those institutions had broken down and were no longer capable of maintaining law and order. History will repeat itself. The American republic will fall apart or a new Cæsar will seize the power and rule by force unless the American Bar holds the republic together without sacrifice of its democratic principles. De Tocqueville saw this when he said, "I cannot believe that a republic could subsist at the present time, if the influence of lawyers in public business did not increase in proportion to the power of the people." [2]

Storm and stress is the life of Washington, and in the conflicts of sections and the clashing of interests the bar will have to be the steadying, compromising, conservative power. This will be no easy matter when the country has a population of five hundred millions of people. Lord Macaulay in his celebrated pessimistic letter in 1857 said: "It is quite plain that your Government will never be able to restrain a distressed and discontented majority. For with you the majority is the Government, and has the rich, who are always a minority, absolutely at its mercy. Here will be, I fear, spoliation. The spoliation will increase the distress. The distress will produce fresh spoliation. There is nothing to stop you. Your Constitution is all sail and no anchor."[1] It was this same Macaulay who wrote in 1829 that if universal suffrage prevailed, "in two or three hundred years a few lean and half-naked fishermen may divide with owls and foxes the ruins of the greatest European cities — may wash their nets amidst the relics of her gigantic docks, and build their huts out of the capitals of her stately cathedrals," and "As for America, we appeal to the twentieth century."[2] Well, the twentieth century is here and with it America saved Europe in the World War. It was Macaulay also who in 1856, according to Lord Acton, "spoke this remarkable prophecy: that the union would not last ten years; that it would be dissolved by slavery, and would settle down into several distinct despotisms."[3]

Macaulay was a brilliant writer but not much of a statesman or seer, and his direful prediction has come true only with that most despotic of all governments — Russia. Moreover, Macaulay neglected to mention that a republic has dangers from the rich as well as the poor, as, for example, in the closing days of the Roman republic when the rich by monopolizing the land to the exclusion of the poor and working that land by slaves, eliminated the independent yeomanry, thereby leading to the downfall of the republic. In America spoliation is not possible while the agricultural class controls, and wealth is not dangerous unless and until it changes, controls, or eliminates that class. Ignorant and arrogant wealth is more dangerous than intelligent wealth, because the former destroys character, while the latter tends to improve it.

It is true that there is danger always to a republic both from the very rich and the very poor. There the capacity of the American Bar will be tested and its character will determine the issue. If the bar is determined that law and order shall prevail and that the laws shall reflect enlightened public opinion, then the menace of local disturbances, class selfishness, and foreign propaganda will merely quicken the public conscience. But if the bar fails chaos will come.

Meantime the bar has a great public duty other than office holding and case trying. Speedy justice, civil and criminal, does not exist in the crowded cities, and in some places justice is the exception and not the rule. One reason is the uncertainty of the law, hidden away as it is in tens of thousands of law books. Another reason is the highly technical procedure in courts, a trap for the unwary and a prolific source of delays and appeals. The bar is too busy to grapple with all this in a comprehensive and successful way. Hence the law schools are being turned to. Legal research professors are being appointed, whose sole work will be (1) a comprehensive statement of what the law is — the common law and the statutory law; (2) productions on the living, unsettled legal questions of the day; (3) comparison of the laws of different states and countries; (4) improving judicial procedure to give speedy justice; (5) study of administration by commissions and of reorganization of state departments; (6) assisting judges in difficult cases, and also assisting legislative committees, the Attorney-General, and the Governor with legal advice when desired. All this to be without charge to any one, the professors' salaries being paid from endowments. The movement has already been started at the University of Michigan where one such professor and an assistant have already been appointed and their services at once requisitioned by the State.[1]

The mission of America is to demonstrate that a great people can govern itself. Our government always has been and will continue to be a government by the legal profession. Hence it is important to inquire: what is the character of that profession? De Tocqueville describes the legal profession as an intellectual aristocracy. Professor Wendell of Harvard confirms this and writes "It is hardly excessive to say that throughout the nineteenth century the American bar proved itself a true intellectual aristocracy. In free competition, it forced itself to the fore; it asserted and justified its recognized leadership."[1] An aristocracy it is *not*. It has no titles, no privileges, and knows no law of descent. Its ranks are open to the humblest of mankind, who has intellect and character. Intellectual it *is*. It is no profession for the stupid, the indolent, or the ignorant. In Emerson's forceful language, it is "a profession which never admits a fool."[2] Its successes are earned and its activities many-sided. It leads into all other occupations; no other occupations lead into it. There are few who tread its hot and dusty highway from end to end, but those few mold public opinion instead of following it. The public is no longer keenly interested in speeches in courts and legislative halls, but the personal influence of lawyers in every town and in counsel has never before been so great. And judgment is more important than speeches. Formerly when this country was about ninety per cent agricultural against about twenty-six per cent now, the center of intellectual activity was in Congress and the courts — guided by lawyers. Today we have great corporations, absorbing the talent of the country — counseled and largely directed by lawyers; but more important than all this is the fact that the political guidance and leadership of America are in the hands of the legal profession. And it is to be borne in mind, as Keith says, "modern statesmen have learned that national feelings, rightly directed, have the force of an avalanche."[3] Choate, the leader of the American bar, said, "In no other occupation to which men can devote their lives, is there a nobler intellectual pursuit or a higher moral standard than inspires and pervades the ranks of the legal profession."[4]

Professors may be superb in the class room but when they step outside of it into business or government they become impossible; newspaper men, doctors, and ministers are much the same way. And it is not their fault or any fault at all. They are not trained for that life and so far as they depart from their chosen vocations they fail to achieve real success.[5] The lawyer on the other hand is always in contact with business and government.

It is his life. The bar, however, is not furnishing the leadership it furnished a hundred or even fifty years ago.[1] Oratory has gone out and counsel work has come in. Courts are no longer frequented by the talent of the profession. Meantime governmental complications are increasing. The rapid rise of America to the primacy of the world; its vast wealth, power, and population; its problems of capital and labor; its expansion of governmental functions; its diversity of races; its determination to preserve American institutions — all demand leadership of the highest order. That leadership can be found only in the legal profession and that profession is now putting its house in order. Three legal standards are being raised: first, that of the law schools; second, that of admission to the bar; third, the standard of the bar itself.

The power of the American Bar is unorganized and unseen, but upon it depends the continuity of constitutional government and the perpetuity of the republic itself.[2]

CHAPTER XXVIII

COÖPERATION OF THE UNITED STATES AND GREAT BRITAIN

ENGLAND has always had a genius for using other nations for its ends. The United States has a genius for not being so used, the first example being "Citizen" Genêt of France in Washington's time. But the selfishness of aggrandizement and the selfishness of isolation must in some way be reconciled. Peace, progress, and civilization require it. The whole world is in ferment. Germany will never be content until it retakes Alsace Lorraine and reëstablishes German power. France has given hostages to fortune and must keep armed to the teeth. Russia is a plague spot. The Balkans flame up on the slightest provocation. Japan, having won two wars, was drifting to another when Château-Thierry and Belleau Wood caused her to hesitate and stop — temporarily. England is the only friend America has in Europe, and England is none too good a friend. Naturally she parts with the primacy of the world reluctantly.[1] That was the trouble between Carthage and Rome. Taylor, an eminent Australian anthropologist, says: "The more one studies the resources of the world the more astounding is the position of the United States. They excel in temperature, in rainfall, in coal — so that the centre of the world's industry and of the white population will inevitably move across the Atlantic from Europe to North America." [2] John Adams in his later years wrote Jefferson that "Britain will never be our friend until we are her master." [3] Certainly the ruling classes of England were very hostile to the North in our Civil War.[4] And yet so long as America lasts Chatham,[5] Burke, Fox, and Bright will be household words with the American people. Chatham, when in the House of Commons in 1766 as the elder Pitt, exclaimed with terrific force: "I rejoice that America has resisted. . . . In a just cause of quarrel you may crush America to atoms, but in this crying injustice I am one who will lift up my hands against it. . . . America, if she fell, would fall like the strong man; she would embrace the pillars of the state, and pull down the constitution along with her."[1] Later, as earl of Chatham in the House of Lords in 1775, he said: "This glorious spirit . . . animates three millions in America, who prefer poverty with liberty, to gilded chains and sordid affluence, who will die in defence of their rights as freemen. . . . All attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal. We shall be forced ultimately to retreat. Let us retreat while we can, not when we must."[2] And Lord Morley in his *Life of Burke* spoke truly when he said: "The War of Independence was virtually a second English civil war. The ruin of the American cause would have been also the ruin of the constitutional cause in England; and the patriotic Englishman may revere the memory of Patrick Henry and George Washington not less justly than the patriotic American."[3] Rear-Admiral Sims of the United States navy, at a banquet in London in 1910, said: "If the time should ever come when the British Empire is menaced by a European coalition, Great Britain can rely upon the last ship, the last dollar, the last man, and the last drop of blood of her kindred beyond the sea."[4] Of course he was rebuked by the Navy Department for his impulsive, unauthorized, and one-sided alliance with a cold, calculating people, but after all the Admiral correctly divined the feeling of the American people. Eight years later four million Americans were in arms to aid kith beyond the sea. The plain fact is that the plain people of England have always sympathized with America. They would not enlist against us in our Revolution and so George III hired Hessians. The cotton operatives of Manchester, though starving for lack of American cotton to work with during our Civil

War, passed resolutions favoring the North. The English people were with us in the Spanish War and we were with them in the Boer War. Recently when the ruling class in England was unfair to America in naval restrictions the English people took the side of America.

Coöperating, America and Great Britain can stop war and compel the world to behave itself. But how? America is not willing to underwrite the British Empire by an offensive and defensive alliance, or either. England is jealous of American wealth and power. On the other hand, Bryce correctly says of England and the United States, "each nation had a genuine interest in the other's performances and a capacity for understanding the other which neither possessed as towards any other people. Each was secretly proud of the other, though neither would avow it."[1] Henry Adams in his History of the United States said, speaking of the situation in 1812, "Not for the first time experience showed that any English minister whose policy rested on jealousy of America must sooner or later come to ruin and disgrace."[2] In 1898 Chamberlain proposed an Anglo-American alliance. He said "What is our next duty? It is to establish and to maintain bonds of permanent amity with our kinsmen across the Atlantic. There is a powerful and generous nation. They speak our language. They are bred of our race. Their laws, their literature, their standpoint upon every question, are the same as ours. Their feeling, their interests in the cause of humanity, and the peaceful developments of the world are identical with ours. I don't know what the future has in store for us; I don't know what arrangements may be possible with us; but this I do know and feel, that the closer, the more cordial, the fuller, and the more definite these arrangements are, with the consent of both peoples, the better it will be for both and for the world."[3] There will never be another war between England and America. The two nations may quarrel and splutter but there will be no war. In fact, if either gets into serious trouble the other will help it. Sir Esme Howard, the British Ambassador to the United States, well said in Virginia on May 22, 1926, "It seems to me that the lessons to be learned from this period is that in the future, as in the past, the English-speaking races will continue, consciously sometimes as during the late war, unconsciously often as after 1783, to stand together and assist each other for the great purposes for which they supremely stand, government of the people, for the people, by the people; government of law and not of force; government of steady evolution towards the great purpose of government; the protection of life and liberty of the individual; the guaranty of the possession of his lawful property to each individual, and equal opportunity to all in the pursuit of happiness."

And on April 22, 1927, Alanson B. Houghton, the American Ambassador to Great Britain, said to the Manchester Chamber of Commerce that "he believed that as a matter of course the future peace, happiness and well-being of the world depended largely on the existence of a sound and cordial understanding between the British and American peoples," but that "we must not hope to seek to develop these wholly natural and helpful relations into anything like an alliance. To bring the English-speaking peoples together into an armed and exclusive group, prepared if need be to enforce its collective will by force, would if it were possible," he said, "tend neither to promote peace nor assure our mutual security. Its only result would be to unite the world against us. In the end precisely what we sought to avoid — war — would result." And Howard, British Ambassador to the United States, said at Los Angeles, May 5, 1927: "What I should like to stress tonight is that on both sides of the Atlantic the English-speaking peoples ought to endeavor to set an example to the rest of the world of a calm, judicial, unprejudiced outlook on international events. This can be cultivated if we refuse to allow ourselves to be carried away by the first gust of passion that reaches us from the press or the political propagandist. Let us listen quietly to what people have to say in their own defense, even if they at first appear to us to be wrong; let us weigh all the evidence we can get and let us come to our decision by reason and not by impulse, by discernment and not by passion. We shall have in the future, as in the past, causes of difference, but let us at least learn to treat them calmly and with dignity and let us determine that if we cannot settle them by negotiation they should be settled judicially. For if the heart of the people is determined on a peaceful settlement of disputes, not all the tumult and shouting of press and politicians will move it to approve war." It was an eminent Englishman who said "I hope that between this country and the United States war is already outlawed in the hearts and souls of their citizens. I know it is in the hearts and souls of the people of this country and I hope it is equally so in the republic." Such on July 11, 1927, was the dramatic declaration to Parliament of Sir Austen Chamberlain, Foreign Secretary. John Galsworthy has well said, "I believe there are links and influences too strong for the disruptive forces; and I am sure that the first duty of English and American citizens today is to be fair and open to understanding about each other. If anyone will take down the map of the world and study it, he will see at once how that world is ballasted by the English-speaking countries; how, so long as they remain friends, holding as they do the trade routes and the main material resources of the world under their control, the world must needs sail on an even keel. And if he will turn to the less visible chart of the world's mental qualities, he will find a certain reassuring identity of ideals between the various English-speaking races, which form a sort of guarantee of stable unity."[1] Norton, a recent writer, says, "Anglo-American solidarity can hardly be called a fundamental American policy. Yet as a sentiment it has been growing more and more powerful in recent decades. Today there are large and influential sections of the population in each country that feel instinctively that if civilization in the West is to be preserved and carried on through the coming centuries, an indispensable factor will be the collaboration of America and the British Empire to that end. While this is perhaps not the official view in either country, it may be fairly stated that no government likely to come to power in England and no party likely to come into office in the United States would consider it anything but a world catastrophe if relations between America and the British Empire were allowed to drift into hostility. As long as these two agree it would be difficult for anyone else to overthrow the structure of Western civilization. If they should ever come to blows it would be difficult for anyone else to uphold that structure."[1] And Siegfried, a recent observing French writer, says, "Political relationships are influenced by this racial affinity, and though the English and Americans may often act like enemies, they are always brotherly enemies. These two nations can never be absolutely friendly, nor yet absolutely antagonistic. A formal alliance is out of the question so long as the Irish are in politics, but the thought of war is considered sacrilege by both sides. France can arouse great enthusiasm at times in the United States, England never; but the English position is really much stronger, for in spite of the lack of demonstrativeness, it is based on the solid foundation of family relationship."[2]

Arbitration and international courts for the world's troubles do not preserve peace, and there are some things which the nations are not willing to arbitrate. England very properly is suspicious of any infringement of its sea power or the laws governing that power. America is suspicious of international courts made up by foreign nations. America favors arbitration, and although faring badly in recent times at the hands of foreign arbitrators, is still willing to arbitrate international differences. But that does not bring America and Great Britain any closer together. In fact, Gibbons says, "the attitude of the American Government and people toward arbitration presents facts which must be taken into consideration in determining what part the principle of arbitration should have in our foreign policy. We must admit that our past record is not brilliant and that we cannot in good faith urge upon other nations the practice of arbitration of international disputes as a means of avoiding war on the basis of our own record and demonstrated successes. We have neither preached arbitration consistently nor have we always practised when we did preach. We have never given arbitration a trial in a major dispute. We have never consented to automatic and obligatory arbitration of even limited categories of possible international difficulties. Above all, we cannot truthfully claim that the American people — and the Senate — would be willing to submit to arbitration a question affecting 'the honor, the independence, or the vital interests' of the United States."[1]

But there is a most effective mode of coöperation to avoid war. The power of the purse in these days is greater than the power of armies and navies. The cost of war has outrun improvements in equipment for war. Munitions, food supplies, and transportation during war rapidly plunge the richest nation into overwhelming debt. Whoso controls the purse controls the outbreak of war. Here is where coöperation is possible. If New York and London coöperate here, the checkmate on other nations will be felt throughout Europe and Asia. If New York and London will not loan when the American and British governments unite in disapproving a loan the effect will be electric. And with that disapproval will go by implication a moral disapproval more effective still. Such coöperation requires no treaty, no statute, no obligation. It arises and grows by beneficent results.

Secondly, the "Concert of Europe," which for many years settled the differences arising in the Balkans and Turkey, furnishes the germ of an idea. That "Concert" consisted of representatives of the great European nations. It had power and was effective.[2] America would not enter into just that kind of arrangement, because it might involve war, a power which under the American Constitution cannot and should not be delegated by Congress. But America could send delegates to a Joint Commission of America and Great Britain with power to investigate and report on any international outrage or aggression or dispute. In fact, Secretary of State Hughes in an address before the Canadian Bar Association, September 4, 1923, pointed out that such a joint commission already exists under the treaty of 1909 as to boundary questions between the United States and Canada, and that the plan might well be extended as between those two countries "not to decide but to inform, not to arbitrate but to investigate, to find the facts and to report to the governments of the states represented the effect of measures and where injury would lie. . . . We should do much to foster our friendly relations and to remove sources of misunderstanding and possible irritation, if we were to have a permanent body of our most distinguished citizens acting as a commission, with equal representation of both the United States and Canada, to which automatically there would be referred, for examination and report as to the facts, questions arising as to the bearing of action by either government upon the interests of the other, to the end that each reasonably protecting its own interests would be so advised that it would avoid action inflicting unnecessary injury upon its neighbor."[1] As to this Treaty ratified by the United States Senate in 1909 and the Canadian Parliament in 1911, President Falconer of the Toronto University says, "But the tenth article has even greater potential importance. The Senate of the United States and His Majesty's Government, with the consent of the Governor-General-in-Council, may by joint consent refer to the Commission any question or matter of difference that may arise between them or the inhabitants of the two countries. In this case a majority of the Commission may render a decision or finding on the question referred to it. If unable to render such a decision they shall report to their governments, and the question shall thereupon be referred by the two governments to an umpire chosen according to the procedure of the Hague Convention of 1907, and his decision shall be final. This Article gives the Commission remarkable powers. Any question, apparently, may be referred to it, not merely such matters of dispute as may arise on the frontier. But it is probable that no government would hand over to such a tribunal questions of acute national policy. . . During its existence some twenty-five decisions have been made, and it is a fine testimony both to the gentlemen who have composed the tribunal and to the goodwill of both peoples that all these decisions have been unanimous."[1] The moral effect of the reports of a Joint Commission of America and Great Britain would go far towards keeping the peace of the world. From time immemorial every nation before going to war has tried to justify that war by some kind of argument. Without a good argument the sentiment of the world is against them and the sentiment of the world works in wondrous ways. The trouble heretofore has been that no authoritative and disinterested exposure of that argument has been provided for. And the Canadian plan might well be extended as between the United States and Great Britain so as to include international questions directly or indirectly affecting those two countries. In 1901 W. T. Stead wrote, "For the attainment of the greater unity, Sir George Grey suggested that the Governments at Washington and Westminster should come to a standing agreement 'that whenever any subject affecting us both arises, or when there is any question affecting the well-being of the world generally, we shall meet in Conference and decide upon common action. An Anglo-American Council coming quietly into action when there was cause, disappearing for the time when it had done its work, would be a mighty instrument for good.'"[2] Here lies the opportunity for America and Great Britain to make their joint voices heard in protest, and woe to the nation that dares disregard it. All this is possible without treaty or obligation of any sort. In fact, there is reason to believe that already the two governments coöperate closely to keep the world in order.

And there is another rising power making for the peace of the world. Strange to say, world wide combinations to regulate production, manufactures, mining and marketing, in other words, to remove competition, bid fair to lessen wars more effectively than balances of power, or Leagues of Nations, or alliances, or World Courts, or international arbitrations. Most wars are trade wars, due to overproduction and seeking new markets. Remove the competition and you remove most international jealousies and animosities. Allow international industrial combinations, controlling production, distribution, and prices, and you link the material economic interests of all nations and remove trade wars arising from international competition in business. You decrease the causes of war and the probability of war, because trade combinations know that war brings confiscations, destruction of property, and cessation of industry. The influence of international industrial combinations is very great. Not only do they want peace but they reduce the cost of production and promote efficiency in backward countries. The objection to them is the danger of monopolistic high prices and undue influence over governments. They reduce harmful competition but are apt to run into harmful monopoly. So far as war is concerned, however, they are a stupendous influence against all wars, except wars to stop insurrections, confiscations, and disorders of half civilized nations. They promote world citizenship and mollify a too intense nationalism. But whether good or bad these international industrial combinations, have come to stay. They are growing and are one of the outstanding features of the age.

Thirdly, some arrangement is possible by which America shall share with Great Britain the responsibility of dealing with Central and South America and Mexico. At present Great Britain says little but leaves it for America to decide. Yet the English have larger material interests, larger investments, and greater commerce with those so-called republics than America. England has had more experience in dealing with such people. England has better diplomats for that kind of service. We sit by while those countries repudiate their debts, confiscate the property of foreigners, rob their own people, and plunge into all sorts of arbitrary and illegal practices.* We refuse to interfere ourselves and under the Monroe doctrine refuse to allow others to interfere. The Monroe doctrine was and still is a good doctrine, but the time has come to take into partnership in responsibility and restoration of civilization the only other nation that really is interested and which we can trust for that purpose, namely, Great Britain. Mexico and Central America and South America would soon put their houses in order and keep them in order if they saw that otherwise a firm hand and firmer policy would surely and quickly be put upon them. Great Britain would be glad to subscribe to the Monroe doctrine if allowed to aid in compelling these governments to behave themselves. Great Britain realizes that it has a large enough empire now without adding to it. Mexico and Central and South America have got to be taken in hand by somebody, and it would be well for America to share the moral responsibility with a nation that has the experience and similar ideas. To be sure, England would use force if necessary to compel these *pseudo* republics to maintain law and order and pay their debts, but it is necessary that some one act as sheriff, and if America is unwilling she should admit an associate who is willing and able to play the rôle of the "wicked partner," — a partner not deceived or stampeded by ignorant sentimentality, — a partner that is fair but insists on protection of life, liberty, contracts, and property. It is true the English would gain in trade, but law and order, as fully as trade, follow the English flag, and the workman is worthy of his hire. American institutions are not fitted for this class of work. It is the work of a ruling class. We have no ruling class and want none. And yet everybody admits that the administration of Taft and Wood in the Philippines has been equal to that of Cromer in Egypt. And there is great force in the editorial in *The Times*, London, December 23, 1926: "As Great Britain knows by long experience, and as the United States may soon be willing to admit, 'imperialism' is not necessarily the outcome of ambitious greed and aggression. It may be reluctant; it grows easily from the perpetual and almost ubiquitous struggles between order and disorder, and often denotes the triumph of good government. It frequently follows on the defense of legitimate interests; and, once the Great Northern Republic has established definite material interests among its less stable neighbours, political intervention is a natural consequence at some time or another." [1]

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* See Chapter XXXIII, *infra.*

Fourthly: As to the interrelations of Europe with their thousand-year-old complications, their feuds, their reparations, their balancing of military power, their grasping for each other's territory, their selfish quarrels and their wars, — the farther we keep away the better. Each and all of them wish America, not as an adviser, but as a *particeps criminis*. Diplomacy in Europe has always been Machiavellian, so much so that when occasionally a nation truthfully announces its policy, the others are misled and believe there is some secret and tortuous policy. Even national debts are practically repudiated if repudiation will be more profitable in the long run. So unscrupulous and skillful are the trained diplomats of Europe that America is beginning to recognize that it is no match for the deceit, subtlety, and combined conspiracy of European chancellories to draw America in and misuse America's moral power, wealth, and resources in men and money. John Quincy Adams, while in the diplomatic service of the United States, wrote from London in 1795: "I have been accustomed all my life to plain dealing and candor, and am not sufficiently versed in the art of political swindling to be prepared for negotiating with an European Minister of State." [2] And it is done with selfish cynicism. Europe came very close to entangling America in the European net, but thanks to Lodge America escaped and now realizes how narrow an escape it had. It is the same old Europe, and thanks to Lodge, the same old America. Dexter and Sedgwick correctly say it is the "tendency of European countries, particularly Great Britain, to look upon the New World, and especially the United States, as a convenience. It is a natural point of view for Europe to take. It arises from past history. . . . America had long been a heaven-sent dump for what Europe did not want and could not keep at home. If America chose to be a dump it was not Europe's business to offer any objection. Evidently Americans liked to be used as a convenience, and it should be neither a surprise nor a grievance that Europe continued to use them as long as it could. . . . European views of America alter very slowly. Until recently there was nothing to induce any change of view. The United States have changed; their people will no longer consent to be a convenience; but it takes other people a long time to grasp that and to modify their attitude accordingly."[1] At the close of the recent war every nation except America made a grab for territory and reparations and even tried to induce America to cancel honest debts. Such rapacity merely shows why Europe wants America to "sit in." The cards are stacked; the dice are loaded. It is like a countryman in Wall Street; an untrained hand handling a surgeon's knife. America during the past one hundred and fifty years has revolutionized Europe by going its own way and demonstrating that popular sovereignty is possible. That mission of America continues and is difficult enough even if America remains isolated in the world. American soldiers have no business tramping in Europe, except when civilization itself is about to be extinguished by brute force and barbaric conquest. The idea that the World War compels us to change our policy and take a political part in European affairs is absurd. Washington said, "Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humour, or caprice?"[1] Secretary of State Kellogg voiced the sentiments of the American people when on December 14, 1925, he declared that we would have nothing to do with European political complications. We are not interested in any "balance of power," nor afraid that another country will grow strong and attack us, nor afraid that a local European quarrel may develop into a widespread war. We are three thousand miles away from that. We can throw the might of our moral influence against violence and favor peace, just as we do in Central and South America, but Americans fail to see why or how we should enter the labyrinth of European politics, jealousies, quarrels, and wars. European international ethics are not American international ethics; European aims are not American aims; European ideas of life are not American ideas of life; Europe looks down on America; America no longer looks up to Europe. They wrangle among themselves. It is not our quarrel. We have troubles enough of our own. To work out our own problems and preserve American institutions is a task of extraordinary difficulty. Europe will have to take care of itself.[2] What John Morley advocated for England in 1883 is still more applicable to America in 1928. He said: "I am in favour of not meddling in the affairs of other people. . . . I believe that every entanglement abroad is an interruption, and a wicked interruption, of social improvement at home."[3]

All English writers and statesmen agree that America should take part in European affairs, while practically all thinking Americans agree that we should do nothing of the sort. The American says, "We will trade with you, associate with you, and give and take the best that each of us have, but as to your troubles, while you have our sympathy we decline to be made a catspaw." We cannot but admire the loyalty of English writers who attribute everything good in government to England and ignore anything not English as not being much good, but England no longer dominates the world and the English writers might well take notice accordingly. Hereafter England and America will take off their hats simultaneously. It is well perhaps that second-class English novelists make the villain an American, and that second-class English historians and travelers deprecate everything American. The tone of English writers warns America not to be too enthusiastic as to English friendliness, nor blind as to English selfishness.[1] English writers abusing America, and American politicians twisting the British Lion's tail, have found both occupations equally profitable and equally resented. Wells says Washington was "conspicuously indolent."[2] This is neither important nor true, but in extenuation it is to be said that Wells, in order to be dramatic and romantic, abuses almost every eminent man in history, except Scipio Africanus. Charles Francis Adams, the younger, said as President of the Massachusetts Historical Society, that "at least four out of five of the ministry and members of Parliament, and almost the entire court circle, were strong sympathizers with the Confederacy." This was in 1862. Adams continues: "Just then it was that Mr. Gladstone further complicated the situation by that famous Newcastle speech in which, amid the cheers of his audience, he declared that Jefferson Davis had 'made a nation,' and went on to express his belief that the independence of the Confederacy and the consequent dissolution of the American nation were 'as certain as any event yet future and contingent can be.'"[3] Gladstone was at that time Chancellor of the Exchequer. He subscribed in the winter of 1862–63 for $10,000 of a $15,000,000 cotton loan for the Confederate States, which was brought out in England and France. To sustain the market the Confederate Government had to buy back some $6,000,000 of the bonds.[4] It apparently was a blockade-running scheme. Bigelow says that John Bright "thinks that probably a majority of those possessing political franchises [about 1,000,000 out of 7,000,000 men of age[5]] desire to see a separation of our Union, but that numerically a majority of the nation are for the Union.

The *entente* between the aristocracy of England and of the Cotton States seems to be cordial and inexpugnable."[1] Bright wrote him, "It is a great mistake to imagine that our people are against your people. Our Government is made up of men drawn from the aristocratic families — it is therefore aristocratic, and from a natural instinct, it must be hostile to your greatness and to the permanence of your institutions. Our rich men take their course mainly from the Aristocracy to whom they look up — and our Press, in London especially, is directly influenced by the Government, and the two sections of the Aristocracy for which it writes — we have also our tremendous military services, with all their influence on the Government and on opinion. But we have other and better influences — the town populations — the nonconformist congregations, the quiet and religious people, and generally I believe the working men — these have done much to put down the war cry."[2]

On the other hand, England is preserving Anglo-Saxon institutions, while there are powerful forces in America trying to break them down. The foreign elements in America loom large. Massachusetts in 1920 had 2,170,792 foreigners or of foreign parentage and only 1,230,773 native born. That is what a high tariff and manufacturing by foreign cheap labor have brought her to. Is materialism worth that price? Sisson well says of these labor importations generally, "Great is the responsibility of those forces and those individuals who have carried on this importation of what, in a very true sense corresponds to the importation of slave labor into a free country."[3] The English have no such problem on their hands. England reserves itself for its own people. Speranza says "England, for example, has been the classic land of refuge for the persecuted, politically or religiously, from every part of the world; yet, before the World War, the foreign-born in the great cosmopolitan city of London were less than two per cent of the total municipal population."[4] The purity of the race is preserved. That country may again become a beacon light for America if America loses its way, and meantime we need the English and Scotch as immigrants. So also as to Canada. It would be a calamity for Canada and the United States to unite, just as it would be a calamity for the forty-eight states of the Union to turn over their powers to Washington. Canada is and will remain a Nordic government, practically a republic, and when the United States become torn by factions the influence of Canada, conservative, continuous, and stable will be very great and wholesome. Professor Usher of Washington University well says, "There is in the world at present only one power whom we are able to serve in our present condition, only one power who is likely to render us at present the services we really need. We can afford to pay the necessary price for an alliance with this power. We can strengthen her and she can in turn strengthen us. Nor will an alliance in any way interfere with the security of both nations. Her position does not threaten ours, nor does ours menace hers. It is also supremely fortunate that this power, with whose interests ours so nearly coincide, should be that nation clearly allied to us in language, blood, law, and religion. Institutions, traditions, and ideals are also in substantial harmony; their habits of thought are in the main ours; those supreme ends of national existence for which they struggle are all but the same as our own."[1] Senator Hoar of Massachusetts wrote, "Certainly there is nothing like England, and there never has been anything like England in the world. Her wonderful history, her wonderful literature, the beauty of her architecture, the historic and poetic associations which cluster about every street and river and mountain and valley, her vigorous life, the sweetness and beauty of her women, the superb manhood of her men, her navy, her gracious hospitality, her courage and her lofty pride — although some single race of people may have excelled her in a single particular — make up a combination never equalled in the world. I am, of course, not to be understood to bring my own country into the comparison."[2]

PART IV

DANGERS, PROBLEMS AND SAFEGUARDS OF THE REPUBLIC

A

DANGERS OF THE REPUBLIC

THERE are four: (1) An unbridled majority rule and attacks on the Constitution and the Supreme Court; (2) Demand for equality of condition as distinguished from equality of opportunity and rights — Communism — Socialism — Unrest; (3) Class interests and sectional interests; (4) Dismantling of the States by greater and greater power to the federal government.

Other dangers are transitory. Tariff laws, excessive railroad rates, confiscatory railroad rate reductions, railroad wage laws, excessive tax laws, "social uplift" laws, and governmental paternal laws come and go. If good, they are retained; if bad, they are repealed. Experimental laws do no great harm, and the country is rich enough to pay the price. But "measures which, under the pretext of correcting abuses, would immeasurably extend the state's sphere of action and reduce the liberty of the citizen" are a menace and a warning that individuality, the basis of American character and institutions, may disappear.

There is no danger of the republic falling apart. The war of 1861 settled that and now no one really desires separation. The mutual interests, mutual markets, spirit of nationality, and manifold advantages have bound the Union together with hoops of steel. Nor is there danger from abroad. No invasion is possible. America does not seek an adventurous career in the way of expansion. Its attitude towards foreign nations is one of good will, fairness, coöperation, and friendliness. America's dangers are from within. The onward march of industrialism has in the past overridden the farmer and led to five portentous problems, namely, immigration, labor unions, trusts, railroad domination, and bank control. The Americans rose to these emergencies, one after another; immigration restricted, labor unions unpopular, trusts regulated, railroads regulated, banks controlled by the Federal Reserve Bank Act. It is well now to consider the four dangers mentioned above.

CHAPTER XXIX

AN UNBRIDLED MAJORITY RULE AND ATTACKS ON THE CONSTITUTION AND THE SUPREME COURT

When the checks and balances of the Constitution prevent the majority of the voters, legislators, and congressmen from having their own arbitrary way, or when Congress passes a law and the Supreme Court declares it unconstitutional, or a state legislature passes a law and the Supreme Court declares it unconstitutional, the cry goes up that the majority should rule absolutely* and that the checks imposed by the Constitution mark it as an outworn and superannuated document. The very thing which the framers of the Constitution sought most to prevent, namely, the tyranny of an unbridled majority, is now denounced as a cardinal defect of the Constitution itself. The majority would sweep on unchecked to its will. First of all it would destroy the power of the Supreme Court. In fact, that citadel of constitutionality has been attacked by furious factions from time to time for over a hundred years. The radicals want their way without regard to the constitutional rights of the minority. The provisions protecting life, liberty, and property and dividing governmental powers between the federal government and the states, thereby preventing Congress from invading state powers and preventing states from invading federal powers, are denounced and a demand made that they be construed away or the power of the Supreme Court restricted or the Constitution itself changed.

This is revolutionary, and if carried out would destroy the republic. The majority already rule and should rule within constitutional limitations. Those limitations check hasty action and guard fundamental rights. The Constitution does not stand in the way of progress. The law moves forward, but more carefully than hasty public sentiment. In fact, the law already is profoundly modifying old ideas and in a regular way. Public service corporations, such as railroads and local public utilities, are being subjected to "regulation," which invades more and more the supposed vested rights. Regulation of rents is doing the same as to real estate. Taxation of inheritances is breaking up great fortunes. Soon the state may limit inheritances going to one person. Liberty of contract is also departing from the ideas of the early days of the republic. Labor laws, anti-trust laws, public service commission laws, child labor laws, laws affecting women, profiteering laws, rent laws, and blue sky laws — all based on an extension of the "police power" — show the movement of the age. The important point is that any desirable change can be and is worked out constitutionally without an arbitrary overriding of the minority. A recall of judges or a destruction of their power is like Samson pulling down the pillars of the temple. An unbridled democracy leads to revolt and that leads to the "man on horseback," a savior of society, who promptly becomes emperor and establishes an aristocracy. The majority in this country are a mighty power, but if they ever destroy the checks of the Constitution on their power they will pull down the ruins over their head. Lyman Abbott points out that "de Tocqueville said 'If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.' They emphasize the truth that the absolutism of democracy is as dangerous as any other form of absolutism, and that it is as necessary for the protection of society to limit the power of a democratic State as it is to limit the power of an individual monarch."[1] "The issue," said Professor Sumner of Yale, is the "republican issue which cleaves down through our entire political and social fabric, the issue to which parties must ever return and about which they will always form so long as this experiment lasts — the issue, namely, of constitutionalism *versus* democracy, of law *versus* self-will; the question whether we are a constitutional republic whose ultimate bond is the loyalty of the individual citizen to the Constitution and the laws, or a democracy in which at any time the laws and the Constitution may give way to what shall seem, although not constitutionally expressed, to be the will of the people."[1] Acton, the great English historian, wrote: "The manifest, the avowed difficulty is that democracy, no less than monarchy or aristocracy, sacrifices everything to maintain itself, and strives, with an energy and a plausibility that kings and nobles cannot attain, to override representation, to annul all the forces of resistance and deviation, and to secure, by Plebiscite, Referendum, or Caucus, free play for the will of the majority. The true democratic principle, that none shall have power over the people, is taken to mean that none shall be able to restrain or to elude its power. The true democratic principle, that the people shall not be made to do what it does not like, is taken to mean that it shall never be required to tolerate what it does not like. The true democratic principle, that every man's free will shall be as unfettered as possible, is taken to mean that the free will of the collective people shall be fettered in nothing."[2] Professor Santayana of Harvard recently wrote, "It would be well if people in England and America woke up to the fact that it is in the name of natural liberty and direct democracy that enemies both within and without are already rising up against their democracy and their liberty."[3] Acton points out that the pure democracies of ancient times failed because there was no check on the majority. As to Athens he says: "the sovereign people had a right to do whatever was within its power, and was bound by no rule of right or wrong but its own judgment of expediency. On a memorable occasion the assembled Athenians declared it monstrous that they should be prevented from doing whatever they chose. No force that existed could restrain them; and they resolved that no duty should restrain them, and that they would be bound by no laws that were not of their own making. In this way the emancipated people of Athens became a tyrant; and their Government, the pioneer of European freedom, stands condemned with a terrible unanimity by all the wisest of the ancients. They ruined their city by attempting to conduct war by debate in the market place. Like the French Republic, they put their unsuccessful commanders to death. They treated their dependencies with such injustice that they lost their maritime empire. They plundered the rich until the rich conspired with the public enemy and they crowned their guilt by the martyrdom of Socrates. When the absolute sway of numbers had endured for near a quarter of a century, nothing but bare existence was left for the State to lose; and the Athenians, wearied and despondent, confessed the true cause of their ruin. . . . The repentance of the Athenians came too late to save the Republic. But the lesson of their experience endures for all times, for it teaches that government by the whole people, being the government of the most numerous and most powerful class, is an evil of the same nature as unmixed monarchy, and requires, for nearly the same reasons, institutions that shall protect it against itself, and shall uphold the permanent reign of law against arbitrary revolutions of opinion."[1] And Chief Justice Taft says: "The result in the Roman Republic for similar reasons was the same. . . . Unrestrained tyranny of the majority will lead to anarchy, and anarchy will lead the people to embrace and support the absolute rule of one rather than the turbulent and unreasonable whim of a fractional majority."[2]

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* This danger is considered further on pp. 23, 507, 520, 524, 525, 547.

A defeated litigant in the highest court, state or federal, tries to forget his disappointment, but a defeated class, interested in a statute declared unconstitutional by the Supreme Court, excitedly demands that the court be abolished or its power restricted. There is always a way to change the law if the public want a change badly enough to persist. But that is considered too slow and difficult. An attack is made on the court itself — the most original, unique, and preservative of all American institutions. This attack is made by a loud-mouthed faction which wishes to use the government, state or federal, to carry out some "reform" or advance some class interest. And the wilder the scheme the greater the noise. It is the demagogue's opportunity. The attacks know no end. Fortunately the public is accustomed to these outbursts and declines to become excited or even disturbed. The issue would be much more dangerous if a majority really sought to sweep away the powers of the Supreme Court. The alarming thing is that some University professors are teaching that the Constitution should be thrown into the discard. An assistant professor in one of our leading Universities recently told his class that the Constitution was a product of spinning wheel days and is no more applicable to present conditions than the spinning wheel would be applicable to present-day industry. Such glib talkers are very careful not to state what could take the place of the Constitution after it had been relegated to the garret. They don't suggest how life, liberty, and property, now protected by constitutional provisions against statutes by Congress and State legislatures, would be protected if the Constitution went the way of the spinning wheel. They probably never have read Mr. Justice Holmes' statement — absolutely true — that if the Supreme Court had no power to declare void any state statute that violated the Constitution this Union would be imperiled.[1] The Supreme Court itself says "The perpetuity of our institutions and the liberty which is enjoyed under them depend, in no small degree, upon the power given the judiciary to declare null and void all legislation that is clearly repugnant to the supreme law of the land."[2] The court might have gone farther and said, "Without this court congress would o'erleap its bounds and dismantle the states, while the states would prey on commerce and enact retaliatory legislation. There would be no one to stop them." There would be chaos and no nation at all if the Constitution were abolished or fundamentally changed. In that event Macaulay's fling that our government is all sail and no anchor would certainly be true. The anchor would have been cut away. What conservative people ask is: What do you propose to substitute for the Constitution; we will consider any proposition you may put forward, but kindly be explicit, and meantime you have no license to mislead the young. The real subconscious grievance of the professor mentioned above is that the rich and powerful get too much and other classes too little. But a revolution as to that involves a readjustment of our social system, and no one is able to tell how, except the Bolsheviki. The scathing language of Root as to this class of professor is none too strong. "The change may well be seen in our colleges and law schools, where there are many professors who think they know better what law ought to be and what the principles of jurisprudence ought to be, and what the political institutions of the country ought to be, than the people of England and America, working out their laws through centuries of life. And these men, who think they know it all, these half-baked and conceited theorists, are teaching the boys in our law schools and in our colleges to despise American institutions." [1] A menace to the Supreme Court more serious than open hostility, says Professor Babbitt, "may be defined as a sort of 'boring from within.' This phrase seems to fit the professors in our law schools who are departing from the traditional standards of the law in favor of 'social justice.' Social justice, it is well to remind these 'forward-looking' professors, means in practice class justice, class justice means class war, and class war, if we are to go by all the experience of the past and present, means hell." [2] Nor are the above mentioned professors without partial coadjutors. A spirit of criticism of the American Constitution is found elsewhere and in high circles. Is it not time to confine such activities to specific proposed amendments and to a reasonable regard for "due process of law" and the protection of liberty and property against the assaults of the majority? America is not a mercurial country, but its currents of life move swiftly; acting and reacting; hurrying to and fro; East going West and West going East; 48 different States with 48 different civilizations, populations, and ideas; tropical Louisiana and frigid Montana; a mingling of all races, and yet a homogeneity crystallized into a republic, held together by similar fundamental ideas, the Supreme Court and the Constitution preventing any fundamental injustice.

The above discusses the proposition that the Constitution be swept away to enable the majority to enact any laws they see fit. This brings us to the next question — what do the malcontents want to do; what "reforms" do they wish to inaugurate; what upheaval have they in mind? We will consider them under the following headings.

CHAPTER XXX

EQUALITY OF CONDITION AS DISTINGUISHED FROM EQUALITY OF OPPORTUNITY AND RIGHTS — COMMUNISM — SOCIALISM — UNREST

THE Declaration of Independence declared "We hold these truths to be self-evident: that all men are created equal: that they are endowed by their Creator with certain inalienable rights: that among these, are life, liberty, and the pursuit of happiness." There is nothing here to indicate more than equality of rights and opportunity, including freedom from a king and hereditary nobility. Abraham Lincoln in one of his speeches on the slavery question defined equality as follows: "I think that the authors of that notable instrument [the Declaration of Independence] intended to include all men, but that they did not intend to declare all men equal in all respects. They did not mean to say that all were equal in color, size, intellect, moral development, or social capacity."[1] Speaking of the Declaration of Independence that "all men are created equal," Professor Van Dyke of Princeton well says, "But what is that equality? Not of person; for that would be to say that all men are alike, which is evidently false. Not of property; for that would be to say that all men are on the level, which never has been true, and whether it is desirable or not, probably never will be true. The equality which is asserted among men refers simply to the rights which are common to men: life, liberty, and the pursuit of happiness. Here government must make no distinctions, no exceptions. Here the social order must impose no arbitrary and unequal deprivations and barriers. The life of all is equally sacred, the liberty of all must be equally secure, in order that the right of all to pursue happiness may be equally open."[2] In other words, equality of opportunity does not include or imply or require equality of condition or social equality or economic or materialistic equality. In fact, the lowly born are the surest to rise and seize their opportunities. The habits of those born rich are not conducive to success, and the worst thing that could happen to a poor boy would be so-called equality of condition. President Eliot says, "The democracy is beginning to see, and will soon fully understand, that inequality, not equality, of possessions is the inevitable result of freedom." [1]

Nothing is more certain than that the framers of the Constitution and the public itself at that time would have been amazed at any claim that equality of *condition* was intended. The whole fabric of the colonies involved inequality of *condition*. Some were born poor, some rich. Some were educated, others not. Some could vote, others could not. Some even were slaves. Inequality of *condition* was accepted as the natural order of things. And it *is* the natural order of things. Nature creates inequalities and relies on the survival of the fittest to create still greater inequalities. Emerson says of the inferior child, "he has but one future, and that is already predetermined in his lobes and described in that little fatty face, pig-eye, and squat form. All the privilege and all the legislation of the world cannot meddle or help to make a poet or a prince of him." [2]

Equality of opportunity has already been considered.* It is a fundamental principle of American life and in fact is an American institution. But during the past few years this other principle, *equality of condition*, has loomed ominously on the horizon. Its most extreme form is "communism," which its advocates refuse to define, but which is the nationalization or community of industry, and the abolition of the relation of employer and employed, and hence abolition of capitalism itself. It is the Karl Marx theory — the Russian Bolshevik Soviet theory, which has now been tried on a colossal national scale in Russia and has gone to pieces. The "First International" was organized in 1864 to bring about communism, the sole existence of labor. After the failure of the "Paris Commune" in 1871, communists dropped the name "Communists" and called themselves "socialists." The "Second International" was organized in 1889. It favored gradual socialism by use of the ballot. The World War of 1914 disintegrated it. The Russian Revolution of 1917 organized the "Third International" in Moscow in 1919 on principles similar to the "First" and resumed the original name, "Communist." It is fortunate that the theory has been thoroughly tried out. Land and factories and capital were confiscated. But it was found necessary, it is said, to allow the peasants life tenures of the land allotted to them, and that is not communism. Factories did not produce, and capitalism, even that of foreigners, was called back, and that is not communism. Poverty and famine were the result of the whole experiment, while the government became despotic. It is tottering to its fall and will be a warning for all time to come. There is no danger of communism making any headway in America. The New York East Side Jews favor it, but the law and public sentiment are against them. The right to make and keep private property and the right to transmit that property to one's family are rights centuries old with the Anglo-Saxon race and are cherished nowhere more than in America. Property and liberty of contract are protected by the federal and state constitutions, subject to regulations which do not violate "due process of law." It is true that around those words, "due process of law," rages an unending conflict, but it is a progressive contest. Radicals demand that these words shall not restrict the legislative will; in other words, that the majority shall rule absolutely. Conservatives demand that the old meaning shall be preserved. Fundamentally the conflict is the old one between the have nots and the haves, with the "social interest" element favoring the have nots. The constitutional protection of property by "due process of law" is flexible because

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* See pp. 49–52, *supra*.

"due process of law" is a flexible phrase and the courts very properly refuse to define its limits.[1] Fifty years ago many statutes would have been held unconstitutional, as violating liberty of contract and right of property, which statutes are today upheld by the courts in response to change in public opinion.[2] This process is slow but conservative and safe. And it will continue. Just how it may bring about a more equable distribution of wealth is as yet hidden in the future. Any radical and sudden experiment, however, would deaden industry and react on those who demand a change. Progress is made by groping and experimenting, here a little, there a little, looking for light, willing to grapple with this problem of the ages, "shouting question after question into the Sibyl cave of destiny and receiving no answer but an echo."[3] The Sibyl will at length respond. The contest has now become intense by reason of mass production, city growth, consolidated capital, labor unions, and dissatisfaction with present distribution of wealth. But communism would take from the thrifty to give to the shiftless. The old conundrum was and still is, "What is a Communist?" and the answer is, "One who is willing to put down his penny and take up your shilling." President Butler well says, "Socialists are fond of asserting that all wealth is the product of labor. As a matter of fact, however, labor alone never has and never could create any wealth worth speaking of. Labor alone is barely able to earn subsistence, and that only of the rudest and crudest kind. Wealth is the creation of brains, of skill, of character. It is trained labor, skilled labor, righteous labor, which creates wealth, and it is the training, the skill, and the righteousness which do the creating and not the labor. It so happens that in this world brains, skill, and character manifest themselves very differently and very unequally in different individuals, and all progress, all civilization is due to this fact. The higher and more effective types of brains, of skill, and of character are entitled to their rewards, and society has provided for these rewards through the system of private property. To attempt to wreck all this and to endeavor to substitute a mechanical organization of our economic system for one based on free labor and private property is as reactionary a program as could be imagined."[1] Professor Carver of Harvard says, "This is the principle that runs through all our economic life. Goods are not produced by labor; they are produced by labor *and* capital. More accurately, goods are not produced by present labor alone, they are produced by present labor in combination with past labor that is stored up or embodied in the form of tools, machines, and other equipment. We call this form of stored-up labor by the name of capital. It is a necessary ingredient in any large industry. If one ingredient is missing, there is not much demand for the other."[2] Communism is no menace in this country. The human institutions of private property and the family are the two bases of civilization and they are inextricably interwoven. Community of one leads to community of the other. That is why Plato in advocating community of property in his ideal state was driven inexorably to advocate community of wives.[3] Sumner says: "The most rigorous and logical socialists have always been led sooner or later to attack the family. For, if bequests should be abolished, parents would give their property to their children in their own life-time; and so it becomes a logical necessity to substitute some sort of communistic or socialistic life for family life, and to educate children in masses without the tie of parentage. Every socialistic theory which has been pursued energetically has led out to this consequence. . . . It is plain to see that the only equality which could be reached on this course would be that men should be all equal to each other when they were all equal to swine."[4] As Professor Sumner further says, "Every socialist who can think is forced to go on to a war on marriage and the family, because he finds that in marriage and the family lie the strongholds of the 'individualistic vices' which he cannot overcome. He has to mask this battery, however, because he dare not openly put it forward."[1] Civilization began with the family and the end of the family will be the end of civilization. In Plato's time the civilized world was small and his tower of observation limited.

Socialism is a different proposition. Here, too, an accurate definition is impossible because there are many theories called by that name; some radical, some mild "reforms," — social "uplift." The most radical and dangerous is that the majority by legislation shall bring about *equality of condition* to all. This means a forced distribution of products and wealth. The method of bringing this about is not made clear. Some would take great fortunes by income taxes and inheritance taxes; some would limit the amount of inheritances or gifts before death; some have no definite plan but would have the government bring about in some mysterious way this equality of condition by taxation and redistribution or by state production. The British Labor Unions, however, are said to be convinced of the futility of expecting anything through the government as an employer, and hence are devoting themselves to using the government as a sort of guarantor of wages, employment, and other things at the taxpayer's expense. This creates a privileged class and will not be tolerated by America. It is discriminatory, and at the expense of other classes violates the fundamental principle of equality, because taxation bears indirectly on all classes, as well as directly on the rich. The coal miners in England succeeded temporarily in obtaining a state guarantee of wages, but the public resented it and ended it. In America there is a movement among the farmers to have the state purchase surplus products at a fixed price, and although this has worked with some success with coffee in Brazil, it generally means a loss for the state. Socialism of this kind does not bring about a more *general* distribution of the profits of production. De Tocqueville in his famous book on America, published in 1835, pointed out that for seven hundred years the history of France had been essentially a history of advancement of the middle and lower classes to equality of condition with the upper classes.[1] John Stuart Mill commenting on this said, "That such has been the actual course of events in modern history, nobody can doubt; and as truly in England as in France." De Tocqueville feared that the middle classes and capitalists would be vanquished, the same as the kings and nobles had been. Mill thought there was little danger of that,[2] and the history of democracy in America since Mill wrote, nearly ninety years ago, confirms Mill's view. Mill also points out that certain prominent characteristics of Americans are not due to growing equality of condition but are due to expanding industry and wealth. He instances the Canadian French who have equality of condition. "Yet," he says, "do we find in Canada that go-ahead spirit; that restless, impatient eagerness for improvement in circumstances; that mobility; that shifting and fluctuating, — now up, now down, now here, now there; that absence of classes and class-spirit; that jealousy of superior attainments; that want of deference for authority and leadership; that habit of bringing things to the rule and square of each man's own understanding, — which M. de Tocqueville imputes to the same cause in the United States? In all these respects, the very contrary qualities prevail." Mill also points out that in England where these American qualities also appear, there is little progress towards equality of condition.[3] In short he deems them the defects of the commercial class where that class exists.

I know of no one who more thoroughly demolishes state socialism that Lyman Abbott in his "Spirit of Democracy."[4] His substitute is not so clear, as will appear hereafter. Carnegie is a close second. Though he advocates the state's taking great fortunes on death in excess of a reasonable amount, yet he says that the communistic idea of how the state shall use such surplus is futile. "It could not make much difference to the workers whether the title to the wealth rested in the State or in individuals if the State decided, as individuals now do, to recompense labor according to value as determined by demand, the fairest standard. All would remain very much as now; one would still get five talents, one ten, and a few would get very many talents, and individualism would reign. The bridge has yet to be found that spans the gulf between equal and unequal compensation for varied service; yet, until this be found — we believe it to be non-existent and impossible to devise — there can be no Communism. . . . Until officials, superintendents, foremen, and skilled mechanics are willing to accept the recompense earned by the sweepers of the factories, there can be no success for Socialism, for upon this foundation it is compelled to stand. The moment 'equality of payment' is dropped, and a commission is formed to found and enforce 'inequality of payment,' the phantom vanishes. We are back again to our present system with all its inequalities."[1] President Eliot says, "It being thus clear that individual liberty in a free state must lead to inequality of possessions, it remains to ask: Is this condition of things to be regretted? Is it desirable that conditions as regards property should be equal? All the analogies of nature and all human experience seem to me to indicate that a society in which there were no varieties of condition would be unnatural, monotonous, stupid, and unprogressive. Civilization means infinite differentiation under liberty."[2] Petrie, an English writer, says, "The doctrine of equality of wages in a trade is a double injury, it encourages the most incapable man that can possibly squeeze into the trade, and it discourages the capable man who is worth far more than the average. It must tend to drive capable men out of the trades which they might have raised by their example and stimulus, into other lines where capacity can still earn its value."[3] Professor Sumner of Yale said, "Socialism is any device or doctrine whose aim is to save individuals from any of the difficulties or hardships of the struggle for existence and the competition of life by the intervention of 'the State.'"[4] Professor Sumner also says, "When it is proposed to 'reorganize society' on any socialistic theory, or on no theory, it should be noticed that such an enterprise involves a blind speculation on the vicissitudes of classes and forms of property in the future. 'Wealth, whether in land or money, has been increased by marriages and inheritances, reduced to fragments by divisions, even in noble families [in spite of settlements and entails], dissipated by prodigals, reconstituted by men of economical habits, centupled by industrious and competent men of enterprise, scattered by the indolent, the unfortunate, and the men of bad judgment, who have risked it unwisely. Political events have affected it as well as the favor of princes, advantageous offices in the state, popular revolts, wars, confiscations, from the abolition of serfdom in the fourteenth century until the abolition, in 1790, of the dues known as feudal, although they were, for the most part, owned by members of the bourgeoisie.'"[1] Chief Justice Taft was right when he wrote, "it is a real injury to society to emphasize constantly the necessity for ameliorating the conditions of the less fortunate and the people of little means, without at the same time dwelling upon their duties as citizens, their obligation to render a full day's work for a full day's wages, their duty to sympathize with the enforcement of law and to render justice even to the more fortunate members of the community. Instead of this, appeals are really being made to the majority to use the power that their being a majority gives them to compel equality, not only of opportunity but of condition and of property, and, by silence on the subject, to ignore all difference in point of merit between thrift and industry on the one hand, and shiftlessness and laziness on the other."[2] George E. Roberts on "The Primary Industries" says, "The possibilities which lie in increasing the production of all the comforts of life are vastly more important than any gains that can result from a redistribution of existing wealth or a mere reorganization of industry as it is. The possibilities of increasing production cannot be realized by destructive methods, or by any leveling policies which underrate the value to society of men who possess the genius for initiative, constructive leadership, or scientific research. This sort of ability serves not only the men who possess it, but, when rightly employed, it serves the entire community as well."[1] As a recent English writer, Brown, says, "If a scheme of social reconstruction does not offer a reasonable guarantee that the best brains and the best workmen shall be brought to the top, it is *ipso facto* condemned."[2] Professor Sumner of Yale said, "The reason why I defend the millions of the millionaire is not that I love the millionaire, but that I love my own wife and children, and that I know no way in which to get the defense of society for my hundreds, except to give my help, as a member of society, to protect his millions."[3] And Adam Smith wrote, "Men of inferior wealth combine to defend those of superior wealth in the possession of their property, in order that men of superior wealth may combine to defend them in the possession of theirs."[4] President Coolidge said in 1916, "I . . . criticise those sentiments, held in all too respectable quarters, that our economic system is fundamentally wrong, that commerce is only selfishness, and that our citizens, holding the hope of all that America means, are living in industrial slavery."[5] Mallock in a powerful book argues that all industrial progress is due to the ability of the few and not the labor of the many, and that socialism in refusing great rewards to the few would deaden the ambition of men and destroy progress. If Mallock's analysis and reasoning are correct, socialism is nothing but a raid by the many on the few.[6] The capitalistic system is the only system so far known that gives a good living to those who work with their hands and draws out to the utmost the organizing powers of those who work with their heads. The chief objection to it is that it increases population too fast.* But socialism would increase it still faster. "From the time of Malthus, orthodox economists have been unable to see the expediency of socialism, among other reasons because of their belief that socialism would weaken the prudential check and defeat its own ends in a flood of population. Socialists as a rule have not demonstrated either much inclination or much ability to meet this charge squarely."[1] Swinburne says: "Until socialists show how to limit population pressure they can make no progress; and when the population principle is properly understood, the evils that socialism is to cure will be gone, so there can be no need of socialism."[2]

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* As to increase of population and Malthus see pp. 526, 527, 572, 574, 580–583.

The insurmountable objection to all of these socialistic governmental schemes, Henry Georgism included, is that the money would pass into the hands of the government — the worst and most wasteful and incompetent fiscal agent and manager the world has ever known and exasperating to the last degree in administration. Part would be stolen, part lost in extravagance, and part used to support a horde of office holders. Henry George's single tax on city land is one thing, but on farms quite another thing. Any financial device which takes from the farmer all of his income, except for his labor and improvements, would drive out the one class on whom American institutions depend. Even as to city land, while the single tax man is arguing himself hoarse the tax gatherer is increasing taxes to a point where all of the "unearned increment," exclusive of improvements, is being gradually taken by taxation anyway and the city or state uses up the money with great celerity and leaves the single taxer still talking. Moreover, as Professor Blum of California says, "Any attempt to reorganize society brings about an officialdom likely to be characterized not only by inefficiency but by tyranny, which may be more obvious and perhaps less easy to bear than the present concentration of power in the hands of capitalists."[3] Spargo, formerly perhaps the ablest of modern socialists, explains socialism as a plan to have the state gradually acquire the railroads and all other public utilities, and also acquire gradually all large industrial enterprises, to be then operated jointly by representatives of labor, management, and the public.[4] He ignores the fact that divided control never has and never will succeed. He admits the difficulty of obtaining efficient management. He does not state how these vast properties are to be acquired and paid for. He fails to point out how the state will distribute the profits of operation; in other words, how each and every member of the public will benefit. He does not state how the efficient man is to be paid as compared with inefficiency or entire lack of ability. He says individuality is to be preserved, and the small producer and owner is to be undisturbed, and community of goods is not sought, but he does not draw the line between large and small production. He indulges in no rhapsodies over the result, but has implicit faith. It is a grand phantasmagoria. And there would be chaos. The prize of control would be so great that men would fight for it; graft and incompetence would honeycomb the structure; the division of spoils would be bitter and lead to civil war and thus end the dream of economic equality. The proposition is absurd that politicians can handle such vast interests with economy and success or that natural leaders will take the lead unless great prizes lead them on. In fact, socialism makes a great noise but cuts very little figure in this country, because it is despised by the two greatest forces in the country, namely, agriculture and capital. It comes and goes, like a fog on the coast, and leaves no mark behind, except an occasional wreck, like Russia. It relies on the state, the most incompetent business manager ever known. It is true that state and municipal ownership of public utilities, state regulation of industry, and drastic taxation are often referred to as "socialistic," but they are not socialistic and do not accomplish socialistic aims. Notwithstanding these extensions of state and municipal powers, we still have swollen fortunes, the rent collector, the interest gatherer, "competition and money making, social classes and pecuniary ambition, marked inequalities in property and income, idle rich and overworked poor," as Taussig well points out.[1] Now John Spargo, referred to above, is a broad-minded and progressive man. He is not afraid to change his opinion. In a powerful article in 1928[1] he utterly abandoned socialism and said: "Whether considered as a philosophy of social progress, as a politico-economic ideal, or as a practical programme for the advancement of the well being of mankind, Socialism is discredited and obsolete. . . . The philosophy of the movement and the programme by means of which it would attain its goal are in direct contradiction to the basic and controlling forces of life itself. Socialism is not progressive, but reactionary. Its influence is not calculated to assist the onward march of mankind, but rather to obstruct its progress. The Marxian theories which constitute the philosophical basis of modern Socialism have been discredited by the evolution of life. . . . No amount of revision or modernization, can overcome the fatal fact that the cardinal principles of the movement are obviously, and even grotesquely, contradicted by the facts of life, thus setting the movement in violent opposition to human experience. Wherever we touch the cycle of Marxian theory this weakness is disclosed."

Socialism is not new in America. It was tried, weighed in the balance, and found wanting in the very beginning. Governor Bradford in his epic, the History of Plymouth Settlement, tells how the Pilgrim Fathers after they landed at Plymouth Rock owned land and production in common but found the experiment a failure. He says, "The failure of this experiment of communal service, which was tried for several years, and by good and honest men, proves the emptiness of the theory of Plato and other ancients, applauded by some of later times, — that the taking away of private property, and the possession of it in community by a commonwealth, would make a state happy and flourishing; as if they were wiser than God. For in this instance, community of property (so far as it went) was found to breed much confusion and discontent, and retard much employment which would have been to the general benefit and comfort. For the young men who were most able and fit for service objected to being forced to spend their time and strength in working for other men's wives and children without any recompense. The strong man or the resourceful man had no more share of food, clothes, etc., than the weak man who was not able to do a quarter the other could. This was thought injustice. The aged and graver men, who were ranked and equalized in labor, food, clothes, etc., with the humbler and younger ones, thought it some indignity and disrespect to them. As for men's wives who were obliged to do service for other men, such as cooking, washing their clothes, etc., they considered it a kind of slavery, and many husbands would not brook it. This feature of it would have been worse still, if they had been men of an inferior class. If (it was thought) all were to share alike, and all were to do alike, then all were on an equality throughout, and one was as good as another; and so, if it did not actually abolish those very relations which God himself had set among men, it did at least greatly diminish the mutual respect that is so important should be preserved among them. Let none argue that this is due to human failing, rather than to this communistic plan of life in itself. I answer, seeing that all men have this failing in them, that God in his wisdom saw that another plan of life was fitter for them."[1] If socialism failed with such choice men, few in number, similar in pursuits and unselfish in aims, how could it succeed with over a hundred millions of people, of a hundred nationalities, a thousand pursuits, and a jangling discord of ideas? It is preposterous. Starr presents Sumner's views as follows: "Nature is neutral. She yields to him who most wisely and resolutely wrestles with her. In proportion to men's being and doing is their having and enjoying. 'Such is the system of nature. If we do not like it, and if we try to amend it, there is only one way in which we can do it. We can take from the better and give to the worse. We can deflect the penalties of those who have done ill and throw them on those who have done better. We can take the rewards from those who have done better and give them to those who have done worse. We shall thus lessen the inequalities. We shall favor the survival of the unfittest, and we shall accomplish this by destroying liberty. Let it be understood that we cannot get outside this alternative: liberty, inequality, survival of the fittest; non-liberty, equality, survival of the unfittest. The former carries society forward and favors all its best members; the latter carries society downwards and favors all its worst members.'"[1]

But dropping communism and socialism as more of a nightmare than a reality, so far as America is concerned, we come to a very living question. There is undoubtedly a vague and general unrest and dissatisfaction among the people in that they believe that at present the distribution of production and wealth is unfair. This feeling exists notwithstanding the truth stated by Professor Carver of Harvard, who says, "In spite of all the inequalities which persist under capitalism the masses of the people are better off under it than they have ever been under any other system. In fact, they are better fed, clothed, housed, and supplied with the adornments and embellishments of life than any but the rulers and a few hereditary aristocrats in any noncapitalistic country. One needs only to be reminded that the United States is the most highly capitalistic country in the world to appreciate this fact."[2] William Allen White, the Kansas writer, says: "While we have been wrangling for a quarter of a century in politics to give the average man his share of the things of life by law, behold, out of the machines, out of the workshops, out of the great factories where mass production is reducing the cost of a thousand luxuries to the price of comforts and the price of a million comforts to the still lower price of necessities, the genius of America is distributing the awards of industry with vastly more equity than laws could possibly distribute these rewards. So that out of industry an economic justice of a sort is rising. It is not justice of the highest sort, but it is settling into customs deeply and without legal warrant or compulsion an equitable distribution of the fruits of industry in civilization that is making the dreams of even our modern Utopians rather inadequate. . . . This standardization is somewhat a levelling and has in it much that is dangerous. Yet this standardization externally brings to us those economic equities which were the dreams of the reformers a generation ago." [1]

And yet there is a feeling that the rich get too much and the rest too little. There is a greater or less demand that in some way the laws be changed so as to bring about a more equitable distribution of production and wealth. In a republic where a majority rule, even within constitutional limitations, this demand grows more insistent, and if not satisfied by an equitable remedy may lead to spoliation. Even Roosevelt and Carnegie favored a limit to inheritances, the state to take the surplus. The grievance is deeper than objection to the influence of great wealth on the government. The claim is that great inherited wealth works social injustice. It is recognized that great wealth takes wings and flies away in the hands of the children; sometimes by speculation, a natural process which transfers capital from incompetent to competent hands; sometimes by riotous living; sometimes by division among many descendants; sometimes by gifts to public purposes; sometimes by stupid investments. The insistent assertion, however, is that somehow and in some way our laws should be changed so that less may go to the few and more to the many. Hence all sorts of nostrums are put forward. And a substantial proportion of the "intellectuals" feel this same way and favor all kinds of experiments and plans for "social uplift." Just how it will end cannot as yet be foretold. There is a smack of materialism about it which is not reassuring. As Richard Roberts says, "A more equitable distribution of wealth is needed; so much is obvious. But having secured it, what then? Will the city of God then come down from heaven? Or are we content with the hope of a redeemed society which goes no farther than a vision of a community of healthy and contented animals?" [2] Luxury and ease, idleness and sports, play too large a part in the movement. It approaches the free bread and circus of the declining days of Rome. After all there is something in this world other than money to spend. Short hours and much leisure sound well but how is the leisure spent? Automobiles and holiday making and movie pictures are not particularly elevating. Character building unfortunately does not come from pleasure seeking. Laziness never did any good to anybody. Congenial employment is the acme of human existence and happiness. As President Eliot has said: "The chief satisfaction of my life has come out of the joy in work." Jacks, an English writer, says: "Ours is pre-eminently a sight-seeing age, an age much given to looking at things or 'to going to see what things look like,' all men with money in their pockets putting themselves into locomotion for that purpose and incessantly travelling by rail, road, or air to such distance from their place of abode (now rapidly becoming a mere point of departure) as the length of the aforesaid pockets and the amount of their disposable leisure render possible."[1] The automobile has revolutionized society. Thirty years ago villagers and farmers on Sunday remained quietly at home. Today they are on wheels. City people know no rest. They are off and away. This would be well enough if it led to plain living and high thinking. But it doesn't. It means restlessness and dissipation of reserves, mental and material, and no thinking at all. It cannot last. Growth of population, want, and enforced economy are inevitable and inexorable. They will lead back to the simple life. Leslie Stephen was right when he wrote that what is needed is "to supply the moral improvement without which no outward change is worth a button. . . . The essential condition of all social improvement is not that we should have this or that system of regulations, but that the individual should be manly, self-respecting, doing his duty as well as getting his pay, and deeply convinced that nothing will do any permanent good which does not imply the elevation of the individual in his standards of honesty, independence, and good conduct."[1] Materialism in the way of food, clothes, heat, and shelter is good for body and mind to a certain point; beyond that point it enfeebles body and mind. Reasonable distribution and prices give the young greater opportunity for improvement; in other words, liberty. Beyond that the advantages are doubtful. Professor Maccunn, an English writer, says "that, in missing modest comfort, a man inevitably misses much of which modest comfort is the indispensable condition — personal independence, a decent home, a healthy life, an enjoyment in deed and in truth, not in speciosity and in sound, of the rights which the Law confers," but the vagueness of all this and the doubt about producing a higher type of men and women by giving more creature comforts appear when the professor proceeds to say that a man may sincerely tell us "that, although in the rough competitions of industry and business he may miss affluence or even comfort, he need not therefore miss the things that are really best in life — not health and independence, not home life and friends, not a keen and active citizenship, not education and religion, not, if he cares to have them, an unstinted share in the things of the mind."[2] Siegfried, whose French views of Americans are always entertaining, after saying that "the spirit which actually governs America is no longer found east but west of the Alleghenies," continues, "in the last twenty-five or thirty years America has produced a new civilization, whose centre is midcontinental," and that this civilization is something new in the world and "is essentially embodied in mass production, with the ability it has shown of raising the standard of living of millions of people," and that this tends "to lessen the intellectual and artistic value of the American society" and "that the nation of efficiency in production is on the way to taking precedency of the nation of liberty" and "individuality in life." He calls it "mass civilization." This certainly is a new departure in the history of the world and certainly also will continue its career in America and furnish another precedent for Europe. It is open to criticism but is better than getting enormously rich by foreign conquest as in English history and under Napoleon in France; better than employment in war. More to the point, mass production produces leaders, and leadership of any kind stimulates intellectuality. The danger is, as pointed out by Siegfried, that materialism may undermine liberty.[1] Barker, an English writer, says: "The supreme reason for a national system of education in an industrial society is less that it improves the efficiency of work, than that it corrects the effects of work; less that it prepares men for their vocation, than that it trains them to know, and to love, something other than their vocation, and helps them to fill the times, and to use the faculties, which are outside the area of work and belong to the spaces of leisure."[2] Liberty, including the right to acquire and own property, is more important than the property itself.

There is no occasion for surrendering to communism in advance, after the manner of Porto Rico. Professor Perry of Harvard would have the younger generation prepare to lose their patrimony. He says, "Our courage will be tried by the internal readjustments which will be necessary, which are already proving necessary, in so far as social democracy goes forward. It would be fatuous to shut our eyes to the fact that social democracy will have to be paid for. Are we prepared to pay by surrendering personal advantages that we now enjoy? We are all like Artemus Ward — ready to sacrifice our wife's relations on the altar of our country. But this sacrifice will touch our affections more nearly. Most of those who read these words would lose materially by a more equal distribution of opportunity, wealth, and power. Now if we enjoy more than the average good fortune, are we willing that it should be curtailed until such time as those who enjoy only the minimum shall be abreast of us? Are we willing to give up our own dear and familiar satisfactions? Or are we democratic only in so far as we expect to gain by it? Are we democratic only in a rhetorical and vaguely sentimental sense, as many profess Christianity or mean to be 'good'? If so, we are not ready for the future. This is a time to retrench — not merely in the consumption of luxuries, but in the desire for them. The whole of democracy will be less indulgent to us than the half of it we have so far achieved. Without some previous self-discipline we shall many of us greet the dawn with a wry face. But in so far as we have learned to live more austerely, and to find our happiness in those things which are not diminished by being widely shared, we may, in the time to come, have the heart to be cheerful despite the realization of our ideals." [1] Now economy and simplicity in living are always good advice, but meekness is a poor substitute for combat, and better advice is to stand fast for present American institutions until proposed changes have been demonstrated to be practicable, feasible, workable, and desirable.

There is danger to the republic from this storm and stress for equality of condition. The majority are sweeping to greater and greater power and demanding a more equal distribution of wealth. Between Scylla and Charybdis — a majority on the one side and concentrated wealth on the other — the Republic must navigate like Ulysses of old. The majority want a larger part of wealth and are apt to use the government to divide the good things of life.* Wealth also uses the government for selfish ends. Unless some new ideal can be found that will appeal to the generosity of the rich and the self-denial of all others, the foundations of the republic may be shaken. Certainly the materialistic grasping for more money and spending power, whether by the poor or rich, does not improve the character of this nation. What shall that ideal be? Personally I think we can do no better than return to the old Roman ideal — public service, not necessarily office holding, but readiness at all times to subordinate self to the public good, the safety of the republic.

It was a common saying after the World War that this is a very different world since that war. I fail to see it. The only fundamental change is the substitution of popular sovereignty for monarchy in Germany and Austria-Hungary, and the substitution of anarchy for despotism in Russia. England, France, and America have the same ideas, laws, institutions, customs, industrial organization, and mode of life as before. But if any one says that this is a very different world from what it was a hundred and fifty years ago, I agree. It has changed from small hand production to colossal mass production; from small units of employer and employee to vast capitalization and labor; from hand work to machinery; from the commingling and quick change of the leader and his men to rigid capitalism and wages; from every opportunity of the average man to rise to very little opportunity. In other words, industry has been revolutionized. Steam, iron, coal, and machinery have changed everything. Labor lives now better than it ever did before but labor demands still more because the profits of capital have been very great. A more equal distribution is demanded. The demand is one of the dangerous problems of the Republic and of England as well. How shall it be met? State socialism, as already explained, is impossible. Inheritance taxes, income taxes, Henry George land taxes and luxury taxes do not help the average man. The state takes them and wastes them. All of the various schemes put forward so far to check capitalism and distribute more equably the fruits of production are absolutely unworkable, and would result as Bolshevism has resulted, in no profits at all.

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* See pp. 23, 507, 520, 524, 525, 547 and Ch. XXIX.

What can be done about it? It does no good to talk about abolishing the Constitution and letting the majority have its way before knowing what then is to be done. Lyman Abbott says, "Many persons imagine that this wage system has lasted from eternity and will last to eternity, because they have never known any other system. In point of fact, it was born about the beginning of the nineteenth century, and I do not believe that it will outlast the twentieth century. The evils of this system are many and great, and have been often recognized by scholars of every class."[1] That is all very well, but what substitute does Mr. Abbott propose? He proposes the merger of labor and capital by labor owning the stock of the corporations. He says, "A great cotton factory employs, let us say, a thousand hands, and is owned jointly by a thousand stockholders. . . . It is evident that if the thousand employees should become the thousand stockholders, the factory would no longer be an autocratic institution; it would be democratic. The workers with the tools would be the owners of the tools and would direct the management of the industry."[2] But the question at once arises; how can labor save enough money to acquire the stock? In a small way this is taking place now but only in a small way. Colossal capitalization cannot be acquired in that way. The savings of labor are too small, and besides the ghost of Malthus strides across that path.* Then, too, capital often has great losses. The hits are history; the misses are mystery. Labor is in no position to stand losses. Furthermore, Professor Sumner of Yale well says that those who offer "as a solution of the 'labor problem' the assertion that the employers and employees ought to combine or coöperate in some way . . . do not appear to see at all that if any such thing should be brought about it would be the most gigantic 'trust' that could possibly be conceived."[3] In other words, such a combination would leave out the farmers, the consumers, and the great middle class. As President Eliot says, the joint agreement between employers and employees "is an improvement on industrial war; but its plain tendency is to determine wages and conditions of work on the one hand, and profits on the other, with the least possible regard to the consumers."[4] On the other hand, in an optimistic recent book by Professor Carver of Harvard on "The Present Economic Revolution in the United States" it is argued that a silent, unobserved economic revolution is taking place in the United States and the United

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* See pp. 527, 572, 574, 580–587.

States alone, by which present high wages and saving habits are rapidly turning the labor class into capitalists and that the end will be capital owned by labor. Mr. Carver says, "There are at least three kinds of evidence to indicate that American laborers are growing rapidly in financial power. First, we have the statistics regarding the old-time forms of thrift such as savings deposits, the assets of building and loan associations, and the premiums paid to insurance companies. In addition to these we have some incomplete but rather striking figures regarding the investment of laboring people in the stocks and bonds of corporations. Finally we have the new phenomenon of the labor bank."[1] Figures are given of the amounts of stock in corporations which labor has already acquired, yet the professor says, "It is true that all these vast sums representing the accumulations of wage workers are a small proportion of the total capital of the country."[2] The dangers of losses and bad management are admitted while rapid increase of present labor population under present labor prosperity is referred to as "immigration from heaven,"[3] in other words, more children, equivalent in effect to immigration from abroad. That phase of the subject cannot so lightly be dismissed.* It involves a law of nature which cannot be withstood. Mr. Carver is sanguine, however, and says "The only economic revolution now under way is going on in the United States. It is a revolution that is to wipe out the distinction between laborers and capitalists by making laborers their own capitalists and by compelling most capitalists to become laborers of one kind or another, because not many of them will be able to live on the returns from capital alone. This is something new in the history of the world."[4] All this is to come from the ideal "balanced industrial system." These theories have much to commend but they are inclined to ignore overpopulation on the one side and brains on the other. Nevertheless, although one may differ from the professor and his fling at old-fashioned economists, all will agree that when a laboring man invests any sum, small though it be, in stock, bonds, insurance, bank deposit, or property of any kind, to that extent he becomes a supporter of American institutions. Corey, however, says that in 1926 employees owned less than 1% of the $95,000-000,000 market value of all stock; that employees own stock in less than 300 corporations; and that about half of their stock is non-voting.[1] But the plan of labor owning and managing industrial enterprises is a failure. Great industrial leaders emerge from labor but labor as an organization is incompetent to invest and control. Even so intelligent an organization as the Brotherhood of Locomotive Engineers made a failure of it. They invested their insurance reserves in banks, coal mines, building loans, investment companies, and Florida real estate. They got into financial trouble and so an assessment of $60 a year for two years on the 60,000 active members was adopted at the Convention in 1927. Another plan adopted was to issue $10,000,-000 of 4% certificates of deposit. The leaders were discredited and dismissed and the investments are being disposed of. Their national bank in Cleveland is now to be run by Cleveland business men with but one representative of the Brotherhood.[2]

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* See pp. 526, 572, 574, 580–587.

Meanwhile above all this din is heard the still small voice of the farmer asking where he comes in. He formerly was considered first; he now is considered last and yet he is the backbone and hope of the country. Just as the commercial, manufacturing, and banking classes in England have gradually driven the noble from his castle, seized control of the government, and dominated English life, so American capital has pushed the farmer into the background and risen to supreme power. Vast forces are now unfolding themselves, unseen but moving resistlessly to some end. Today the great problem is a more equitable distribution of wealth. Gigantic social currents are running swiftly and government is but a reflection of the force predominant for the time being. The farmer is being relegated to the rear, while capital and labor are occupying the stage. It is impossible to foresee the result, but it is safe to say that the drift of the age differs from what it seems. Who would have thought in Elizabeth's time that commerce would reduce the throne to a gesture and the nobility to an echo? The very diversity of American capital — banking, mining, manufacturing, trading, and investing — presage variety, new experiences, experiment, conflict, competition, and individualistic growth. At present capital is united in view of the attitude of labor, agriculture, government, and the clerical classes. But as it sweeps to power it will divide and what the effect will be on American institutions no one can foretell. Humanity like a cloud drifts along towards its destiny and that destiny cannot be foreseen.

Professor Wendell of Harvard suggests that "much might be accomplished by a carefully drawn act forbidding for the future that the income of any property should be conferred by will on any one, not evidently infirm, who does not, at the same time, assume the full control of it."[1] Certainly there would be a rapid dispersion of large fortunes if the heirs had to manage for themselves. The remedy, however, in order to avoid evasions, would have to apply to trusts created by the living. The scheme is impracticable because each state acts for itself on this subject and the easy state would soon get the "residents."

President Hadley's remedies seem equally futile. "Before we can accomplish anything positive," he says, "the property owners and their counsel must accept the idea that private property is in the large sense a public trust, and that the rights of the property owner in the courts depend upon the extent to which the perpetuation of the trust contributes to the purposes for which it was created. Thus and thus only do we find common ground on which conservative and progressive can meet and get an understanding of one another's point of view. By giving up the assumption that his property rights are sacred, the property owner puts himself in a position to discuss the question whether they are useful to society; with a good chance of being heard, and a fair chance of being understood by the people as a whole."[1] President Hadley also proposes that business men accept lower salaries to gain public appreciation. As to this last, great wealth is never acquired by saving of salary, and the question before us is not salaries but of great wealth taking more than a fair share of production. The proposition that property owners shall give up the idea that "property rights are sacred" is more difficult. If "sacred" in this connection means the old Anglo-Saxon idea that what a man honestly gets is his own to do with as he likes — an idea and institution protected by federal and state constitutional provisions — it would be highly dangerous to waive it and foster the notion that the majority may disregard property rights. Chief Justice Taft well says: "Next to the right of liberty, the right of property is the most important individual right guaranteed by the Constitution and the one which, united with that of personal liberty, has contributed more to the growth of civilization than any other institution established by the human race. If it is to be eliminated from the rights secured to the individual, then we shall see disappear from our community the mainspring of action that has led men to labor, to save, to invent, to devise plans for making two blades of grass grow where one grew before, to increase the production of all human comforts and to reduce their cost; we shall see a halt in thrift, providence, industry, mental and physical activity and energy because they will no longer command the rewards that have heretofore stimulated them, and society will sink to a dead level of those who will seek to get along with the least labor, least effort, and least self-sacrifice."[2] As to President Hadley's idea, what limitations would there be and when would the waiver come into force? Such a fundamental proposition, affecting the very roots of American institutions, could hardly be expected to be accepted by business men generally, and without general acceptance it would not lead to a more equitable distribution of production. A president of a corporation who adopted it would be turned out by his stockholders dependent on dividends. The wealthy classes would be alarmed. Altruism is commendable but not often in accord with human nature. The adoption of such a plan — whatever it means — by a few and its rejection by the many would render the plan abortive.

My own belief is that the troubles between capital and labor, and in fact the objections to the capitalistic system generally, can be and will be very largely overcome, not by socialism in any form, but by voluntary restriction of population. This subject of overpopulation is considered elsewhere.*

A high note was struck by President Butler when he said, "We must strike the note of morality and public service in industry with so great clearness and so great firmness that every one shall understand that a moral purpose and a social ideal are behind, underneath, and in front of our entire series of industrial undertakings. That means that we must at every point couple with the desire for gain the purpose of service, that the gain which is vitally important shall be accompanied by the spirit of excellent public service. This is the only way in which the gain can be permanently protected from disaster."[1] Public sentiment is the means by which this can be done. Already there is a distinct shock when a wealthy man dies and does nothing for the public. And even while living, his public acts are watched as compared with his selfishness and materialism. And when money has become a man's master to the extent that he is unable to part with it, his family after his death out of respect for public opinion often devote a part to public uses. Ferrero says, "One of the social phenomena which are most characteristic of North America, but which would be looked for in vain in Europe is the munificence of the donations of wealthy men to the public. Families of great wealth in America nowadays feel it incumbent on them, as a social duty, to spend a part of their substance on

* See Ch. XXXIII, *infra*, pp. 570–573.

the people; to encourage education and culture, to bestow benefactions, to help the more needy classes, and to assist with their purses the public authorities in the execution of their functions. . . . Are men really doomed to become more insatiable, the richer they become; or will the day arrive when they will think it wiser to employ a larger part of the immense riches they possess, not in producing other riches, but in embellishing the world, seeing that beauty is no less a joy in life than wealth?"[1] Brander Matthews says, "Nothing is more characteristic of modern American life than this pouring out of private wealth for public service. Nothing remotely resembling it is to be seen now in any country of the Old World; and not even in Athens in its noblest days was there a larger-handed lavishness of the individual for the benefit of the community. . . . Nowhere in this civilized world today is money itself of less weight than here in the United States."[2] Is there not something in American democracy that creates the spirit of public service by gifts to the public? That spirit is not found in Europe except in a desultory way or in the olden days to buy admission to Paradise. In the picturesque language of Professor Wendell of Harvard, "Sometimes, they [great churches, educational and charitable institutions, etc.] were founded by private sinners of fortune, who had been authoritatively assured that such foundations and monuments might have happy influence on the chances of their jeopardized souls."[3] And yet, although the fear of the hereafter has departed, our people, descendants of Europe, have this faculty beyond precedent. The generosity of Americans to the public is almost an American institution. It is largely due to the fact that there is no primogeniture and that Americans do not pursue titles by founding a family. It augurs well for democracy. President Eliot says that "democratic society will expect that great fortunes, which have been made under the protection of public law out of natural public resources and the needs and habits of the total population, shall be unselfishly used in part for the promotion of public interests. The democracy will expect its rich men to contribute liberally to hospitals, asylums, dispensaries, schools, museums, churches, theatres, music, and the fine arts, and to help secure to public use gardens, groves, shore paths, mountain trails, ponds and streams, parks, and wide prospects. Already in the United States many rich men, sharing the democratic ideals, meet generously these expectations of the democracy. The future will see the extension of these good works of the rich in democratic society."[1]

It will be a revival of the old spirit under the Roman Empire, concerning which Professor Rostovtzeff says, "It is amazing to see what enormous sums were given by wealthy citizens, especially in the Greek East. We know of hundreds of such donors all over Greece and Asia Minor. . . . The tradition of liberality, which arose in the free Greek cities and developed vigorously in the Hellenistic period, especially in the third and second centuries B.C., was revived and maintained in the Roman Empire, notably in the first two centuries A.D."[2]

Public opinion in other countries may be suppressed by a ruling class, but public opinion in America is like a glacier moving with irresistible and crushing power.[3] A public sentiment that surplus private property shall voluntarily be devoted to public uses may be difficult to create in the midst of our materialism, but when Americans are once aroused their power is very great.

Public opinion that public service shall be the goal of life takes us back to early Roman days. Public service was born and bred in the Roman from the cradle to the grave of the high and low. The safety of the republic was the first duty of life. Public sentiment was permeated with it. Men lived and died for it. As Professor Randsay says, self-sacrifice for the state was the backbone of Roman character. Horace wrote, "Sweet and glorious is it to die for one's country"[4]; and again, of the man tenacious of his purpose in a righteous cause, Horace says, "He stands undaunted though the heavens fall."[5] The Romans were narrow but they had a grave earnestness, a stern simplicity, a devotion to duty. Bryce says an "example is held up to us by those who have recorded the earlier annals of Rome. The deepest moral they teach is the splendid power which the love of Rome and the idea of what her children owed to her exercised over her great citizens, enabling them to set shining examples of devotion to the city which the world has admired ever since." [1] As Professor Myers well says, "Above all other duties and obligations was placed that of unselfish duty to the state. It was this Roman virtue of loyalty to public duty, this devotion on the part of the citizens to the interests of the state, that, more than any other quality of the Roman character, helped to make Rome great and to give her finally the government of the world." [2] There are more than remnants of these qualities in America even in this materialistic age. Public service may yet be the salvation of America. Felix Adler said in 1915, "America is the Wonderland, hid for ages in the secret of the sea, then revealed. At first, how abused! Spanish conquerors trampled it; it was the nesting place of buccaneers, adventurers, if also the home of the Puritans — bad men and good men side by side. Then for dreary centuries the home of slavery. Then the scene of prolonged strife. And now, on the surface, the stamping ground of vulgar plutocrats! And yet, in the hearts of the elect, — yes, and in the hearts of the masses, too, — inarticulate and dim, there has ever been present a fairer and nobler ideal, the ideal of a Republic built on the uncommon fineness in the common man! To live for that ideal is the true Americanism, the larger patriotism. To that ideal, not on the field of battle, as in Europe, but in the arduous toil of peace, let us be willing to give the 'last full measure of devotion.' " [3] President Eliot in a remarkable address on "The Religion of the Future" points out that it will be based on two concepts, one, "Be serviceable to fellow-men." [4] "Sociocracy, an ugly word for the service of society," wrote John Morley in 1923, apparently his last literary composition, "seems to be beginning to take the place of democracy, aristocracy, plutocracy, and all the rest of the governing forces of our political history." [1] A new religion of science, based on Christian ethics and the Stoic's principles of self-reliance, never despairing, and the brotherhood of man; a religion without churches or creeds, miracles or superstitions, will teach that work is worship and the more conscientious the work the higher the worship. The ideas of the American people are changing as to the chief aim of life. Accumulation of property is no longer the sole idea. The rich are no longer eminent. They now return part of their wealth to the public by endowing public institutions; the middle classes see the glamour of wealth fading and the good repute of work well done increasing; the lower classes are insisting that wealth owes duties to the public — *noblesse oblige.* Worship of the dollar is giving way to worship of character. Hasten the day! Man is not a money-box and new ideals are supplanting money making. Carnegie's example was fruitful, not in the hundreds of millions he gave away, but in its lesson that public service is the chief end of wealth and of man. Never in the history of the world has there been such an outpouring of wealth for the public good as in America today. The American people are certainly changing, reaching for something higher. What particular direction this may take, what advance in civilization, remains to be seen.

The problem of what life is for and how it should be lived is not solved by hoarding a large fortune. As Judge Baldwin says, "The struggle to accumulate a great fortune belongs to an age with no ideals beyond barbaric splendor, or one, like ours, where it is the excitement of the struggle that is its real reward." [2] Most captains of industry, large or small, get the most out of life by accumulating money and power. So far so good. That is their life. But why be a miser even beyond the grave? Charles Francis Adams had the right idea when he said in 1906, "I would like to have accumulated — and ample and frequent opportunity for so doing was offered me — one of those vast fortunes of the present day rising up into the tens and scores of millions — what is vulgarly known as 'money to burn.' But I do not want it for myself; for my personal needs I have all I crave, and for my children I know, without being reminded of the fact, that excessive wealth is a curse. What I would now like the surplus tens of millions for would be to give them to Harvard. . . . I would like to be the nineteenth-century John Harvard — the John Harvard-of-the-Money-Bags, if you will. I would rather be that than be Historian or General or President."[1] The new form of organization, commonly called a "Foundation," independent of any existing organization, with the purpose of administering a great charitable fund, probably will not accomplish so much as direct gifts to existing organizations, which are and will continue to be necessarily in direct contact with the general public and the problems involved. A Foundation is apt to run to seed and to have supernumeraries and to become self-centered and to make mistakes in the expenditure of its large income. It aims at perpetuating a name; it is apt to become opinionated, wasteful, and extravagant; it is not, like the universities, in living touch with the real needs of the public; it is likely to become comatose and moribund, like many old English charities. At times it meets a hostile public opinion which cripples its usefulness. Congress refused a charter to the leading one of them about the year 1910. The same money turned over to departments of the great universities for specific purposes would produce better results. As President Eliot well said, "Whoever gives wisely to a strong university plants the most fruitful of seed, which will fructify for centuries."[2] Foundations are given very wide powers and are not checked by a healthy public sentiment. In short they are not in close touch with the general public and hence their activities are apt to be misdirected, desultory, and wasted. They are much in the public eye but not in the right way. They should never have been allowed and should be merged into the universities where the money is badly needed and the use thereof is subject to an active healthy public sentiment. Apparently at times some of these Foundations are in doubt what to do and how to expend their money — a strange predicament for a charity. Their intentions are good but they navigate without a compass — a definite, specific, limited purpose.[1] It is not for the public good that a corporation be authorized to pay out large gifts of money here, there, and everywhere without any responsibility to anyone. The best public service is that which seeks no reward, desires no office, expects no recognition, dislikes all publicity, avoids even the appearance of self-seeking, yet follows unwaveringly some great public good.

The greatest charity is the training of experts and leaders. It is excellent to relieve suffering but it is salvation to develop principles and intellect in the young who are sound in body and mind. A dollar spent in improving the character of men is worth more than a hundred dollars spent in counteracting the workings of the laws of Nature on the incompetent, the shiftless, the improvident increase of population.*

Nor does all of the above pertain only to the rich. Every man, in at least a humble way, may do his very best in whatever he does, in the old New England way, irrespective of the award. That is public service — service for the public welfare.

"Remember aye the ocean deeps are mute:
The shallows roar;
Worth is the ocean, fame is but the bruit
Along the shore."[2]

Professor Shaler of Harvard writes, "No person can clearly foresee what value his deeds may have to his fellow-men; his responsibility goes no further than his powers. If he acts unselfishly and to the best of his ability for the good of his comrades; if he does all he can to inspire those about him to do likewise, — his duty is done; the rest he must leave to the Power above."[3]

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* See pp. 571–587 *infra*.

Emerson says, "I look on that man as happy, who, when there is question of success, looks into his work for a reply, not into the market, not into opinion, not into patronage. In every variety of human employment . . . there are the working men, on whom the burden of the business falls; those who love work, and love to see it rightly done; who finish their task for its own sake; and the state and the world is happy that has the most of such finishers. The world will always do justice at last to such finishers; it cannot do otherwise. . . . I cannot see without awe that no man thinks alone and no man acts alone, but the divine assessors who come up with him into life — now under one disguise, now under another, like a police in citizen's clothes — walk with him, step for step, through all the kingdom of time." [1] The perpetuity of American institutions depends on that kind of man. And it is one of America's contributions to civilization. The gospel of work, preached by Carlyle [2] and established by America, is overthrowing the European and ancient idea that culture is only for the wealthy and well born and that only leisure can produce the finished man. Work of some kind is the hall mark of Americanism. Zola says, "The man who works is always good." In the Struggle for Existence the inexorable law of Nature is that we live for the general good rather than for the general happiness. By that law inferior individuals, races, and even nations are ruthlessly eliminated sooner or later. Professor Babbitt says, "The only true freedom is freedom to work." [3] The dignity of labor, the respect due to it, underlies the doctrine of the equality of man. This does not mean social mingling, because that depends on manners and intellect, but it does mean that America rejects Matthew Arnold's idea that Cornell University "is an institution built on a misconception of what culture truly is and calculated to produce miners or engineers or architects and not sweetness and light." The American idea is that men "learn to do well all things that need to be done" [4] and that the lowly conscientious worker is a part of the brotherhood of man.

Moreover, as Woodruff says, "The struggle for existence is now necessary to keep the organism in health, for it is built for such exertion, and must keep it up. As soon as the 'strenuous life' ceases, through any cause, atrophy sets in and deterioration goes on to extinction. . . . There is no medical fact better known than the necessity for work. . . . Idleness [is] a fatal curse. No sensible person believes the Biblical story that God cursed man by decreeing that he should gain his living by the sweat of his brow. The word should be changed, and we should say that God *blessed* man by compelling him to work. . . . Men of sense invariably work even where there is no pecuniary necessity. . . . Working for one's living will always be man's blessed necessity."[1] And equally important it is that man's work in each and every field should be honest, conscientious work, the very best he can do. Jacks, an English writer, well says: "While the economists were preaching the laws of supply and demand as the basis of national prosperity, and the moralists proclaiming the rule of a phantom named 'happiness,' and the Christian Socialists dilating ineffectually on the conception of a non-competitive human brotherhood, there were three men, Carlyle, Ruskin, and William Morris (to speak of this country alone), who were heroically striving to bring the eternal values into actual living contact with the daily work of the industrial age. Competence, excellence, and thoroughness in the work done; valour and mutual loyalty in the doers of it, these were the mother-virtues of their ethic; incompetence, pretence, and slackness were the corresponding vices in the work; cowardice and treachery the corresponding vices in the workers. Such was the industrial version of morality addressed by them to an industrial age. Varying in key, their message in substance was the same; to wit, that man is born a worker, to win his kingdom or to lose it according as he works well or ill; and in all three there was a fierceness in the delivery of the message as of men fighting with their backs to the wall. They spoke the language neither of the Church nor of the State; their message lacked the pious savours of the one and the political garniture of the other; but a profound piety, though not of the official type, informed it, and it was ethical to the core."[1] Jacks defines skill as "wisdom in action, knowledge completing itself by doing the thing it knows; reason cultivating itself as will" and says, "Without some skill to exercise and devote himself to, man remains a half-grown, stunted and essentially miserable object, irrespective of whether he lives in a palace or a slum, and no conceivable 'reconstruction of society' on economic or political lines can make him anything else. Furnish him with skill, train him for some skilled occupation, and you give him his best chance to become a *man* — that is, to get as near as the contradictions of the world permit to being master of his fate and captain of his soul. A 'good social system' will do that for the citizen first of all. Nothing else that it can do for him will amount to much if that is not done."[2] Lord Acton, the English historian, correctly says that the American idea is "that the end of government is liberty, not happiness, or prosperity, or power, or the preservation of an historic inheritance, or the adaptation of national law to national character, or the progress of enlightenment and the promotion of virtue; that the private individual should not feel the pressure of public authority, and should direct his life by the influences that are within him, not around him."[3]

To return to the main subject, the problem of a greater distribution of wealth without enfeebling the vital forces of the nation is a wider problem than merely capital and labor. The problem involves the use of wealth for the benefit of all classes — farmers, clerical classes, small merchants and manufacturers, professional classes, skilled and unskilled labor. Professor Coar goes so far as to say that economic progress "is America's great mission."[4] I hardly think this, especially as England is grappling with the problem of economic distribution of wealth in a much more acute stage than we. The solution in America may be by a change in the ambitions and ideals of men. Wealth will always be sought, but the American fetish of pursuing wealth for its own sake is losing its power. It is no longer a distinction to be a millionaire. In fact, a suspicion is attached to great wealth suddenly acquired. Fortune-making has been the driving force of American life, but the ideals are changing. Rich men wish their sons to be thoroughly educated and mothers fondly hope that at least one of her sons will be distinguished not for wealth but for higher attainments. In the early years of the republic American ambition turned to government and literature. Then came steam and the materialistic development of the vast country. In the nineteenth century, as Bryce well says, "Nearly all the more vigorous minds in the nation were drawn to a business life and politics suffered, partly by the greater attraction business exerted, partly by the habit, which preoccupation with commercial interests fostered, of leaving politics to be managed by politicians. The large-minded thinkers who adorned the last years of the eighteenth century left few successors. Most of the brilliant literary group that gave luster to the middle of the nineteenth century were born before 1830. That development of the universities which has rendered inestimable services to America since 1880 had scarcely begun. These causes made the material progress of America run ahead of its progress in letters and arts, though there was no diminution in the total volume of intellectual force which the nation possessed."[1] Here lies one hope of the future. The continent is pretty well subdued. The greed for wealth has done its worst as well as its best. The rich are beginning to ask themselves whether they wish their children to be wealthy and nothing else. The time seems to be at hand when the tremendous vitality of the ambitious will turn to pursuits other than the pursuit of wealth. There is literature, science, government, and the professions. When the American glorification of wealth declines, unrest will decline. Professor Babbitt writes, "The only remedy for economic inequality, as Aristotle says, is 'to train the noble sort of natures not to desire more.' This remedy is not in mechanical schemes for dividing up property; 'for it is not the possessions but the desires of mankind which require to be equalized.' The equalization of desire in the Aristotelian sense requires on the part of individuals a genuinely ethical or humanistic working."[1] The problem of a more equable distribution of wealth will not be solved by overturning our present system of civilization. The institution of private property (namely, that what a man honestly acquires is his own) and our fundamental idea of liberty (namely, that a man may do as he pleases if he does not invade the rights of others) lie at the basis of our industrial system, and any change in any one of the three would destroy the other two. Hope lies in other directions. When the present wave of greed for money has swept by; when it is realized that the use of wealth is better than the unending accumulation of wealth, the tension between the rich and poor will relax. When wealth ceases to be the ideal it will have less attraction for those who have it not. "Trade" is honorable but has usurped the place of honor. If public opinion puts "trade" back into its proper place, the problem of distribution of wealth will no longer loom so large. Every rich young man who successfully pursues some calling other than accumulation of money helps to solve this problem of equality of condition. The trouble is that at present the average well-to-do man, both young and old in America, thinks there is nothing to do except to put money in his purse. An Englishman retires and becomes mayor of his town or pursues a useful fad and looks after his family. The report of the American National Civic Federation, published in 1907, says as to American cities, "Some, we know, are well governed and the situation on the whole seems to be improving, but they are not up to the government of the British cities. We found in England and Scotland a high type of municipal government which is the result of many years of struggle and improvement. Business men seem to take pride in serving as city councilors or aldermen, and the government of such cities as Glasgow, Manchester, Birmingham, and others includes many of the best citizens of the city. These conditions are distinctly favorable to municipal operation."[1]

Three facts will make the future different from the present and past. First, the accumulation of a great fortune in a lifetime will not be so easy. The natural resources of the country and transportation have now been exploited and they were the bases of the great fortunes. The railroads (Vanderbilt's field) can no longer be manipulated. Oil (Rockefeller's field) has settled down to a competitive basis. Steel (Carnegie's field) is now in the hands of tens of thousands of stockholders. Reorganizations (Morgan's field) are no longer so lucrative. Automobiles (Ford's field) have passed the stage of a new industry. Tobacco (Duke's field) is a luxury and who cares? Any new product, natural or manufactured, which is used by our vast population may in the future as in the past give rise to great fortunes, but those opportunities are rapidly passing. Great fortunes will not be made in the future as in the past. That will remove one source of discontent and of danger to American institutions.

Secondly, the descendants of wealthy men are generally not money makers. The first generation makes the money; the second may conserve it; the third dissipates it. The great fortune returns to the people.

Thirdly, there is a continual division of the estate. The eldest son does not get it all. Primogeniture existed in some of the colonies but long ago disappeared. Daughters as well as sons now get each his or her proportionate share, and not even the legal right of the parent to divide otherwise is availed of often, custom and equity being against it. This continual division of fortunes removes them from the arena of discontent and dangerous aggression.

Altogether great forces are at work in this republic to check the socialistic demand that industry be reorganized so that the many may get more of wealth. Socialism claims that labor has a "natural right" to all of the profits of production. The theory, however, of "natural rights" has been exploded.[1] Nature gives no rights except the right of might. In other words, might makes right. Nature favors the strong and does not protect the weak. Nature does not give to the aboriginal man the *right* to life or a living or to what he acquires, except as he has the might to keep them. Nature cuts down the weak ruthlessly by famine, pestilence, and war. There are no natural rights because nature gives none. What are called "natural rights" are rights created by society. Society to be sure is a growth of nature and is natural to man. In that way nature creates rights but they are rights created by society alone.[2] Society having given rights may take them away. It is a matter of policy. But society finds it well to restrict itself and so we have constitutions and laws. Society also makes it a condition of all rights that the person protected shall assume the obligation to respect similar rights in others. Right and obligation go hand in hand. And so when socialism talks loudly about "natural rights" and the tyranny of society it is talking about things created by society and subject to the will of society. And socialism is finding that out.

And now a silent witness rises in the court room, the "forgotten man." He is rough in dress and somewhat inarticulate in speech, but he is the backbone of the country — the farmer. He testifies that while these city people are quarreling over socialism, reorganization of industry, "up-lift," unrest, and getting more for less, he has been forgotten. He discredits protective tariffs for city manufacturers and trade unions for city labor. He bids you go to the farms for an antidote to all of this poison. He advises you to cultivate the farm more and the city less. He denounces the discrimination against the farmer and he tells how hard it is to get a living. He points out that in 1924 the farmer's average annual net income was only $876 for his labor and investment[3] while a common laborer received $1250.[4] He says that justice is what is needed and not a reorganization of the world. And the farmer is right. *There* is the cure for the evils of the state.

CHAPTER XXXI

CLASS INTERESTS AND SECTIONAL INTERESTS

THIS subject is closely allied to the last in that class interests and sectional interests are chiefly to get more wealth by a different distribution of wealth.

Sectional interests are no longer a menace. They caused the Virginia and Kentucky Resolutions of 1798; the Hartford Convention of 1815; the South Carolina Resolutions of 1832; the Kansas and Nebraska guerilla warfare of 1854; the Civil War of 1861. That war settled that this country will not fall apart by conflict of the sections. The scene has shifted to the danger of a conflict between classes, followed by a dictator "to preserve society."

Class interests also have always existed but are growing with our growth. The manufacturing class has always been knocking at the doors of Congress for tariff protection. The railroads have never been modest in their demands. Labor has sat in the gallery of Congress and forced a labor bill by a specified hour or railroad traffic would cease. The farmers have had their feeble and fruitless Granges, Greenbackers, Populists, Farmers Alliances, Free Silverites, and Non-Partisan Leagues. Blindly groping they have struggled against capitalistic and industrial forces and have sought governmental aid. They have resolutely stood for individual independence and have opposed monopoly, labor unions, socialism, and plutocracy. But they are beginning to realize that high tariffs are their economic enemy, raising the price of what they buy but not raising the price of what they sell.

These class interests are a menace. As President Butler says: "For hundreds of years the path of progress has lain away from this division into groups and classes and toward the notion that a free man in a free state built upon free labor, is the equal of every other man; is free to come and go as he may choose; has equal rights before the law and equal protection from the law; may choose or change his occupation or his dwelling-place at will, and be answerable only to his own conscience and his God for his private conduct and his private life; that indeed he is a citizen in the full sense of that word. Now we are told that all this must be changed; that this doctrine is a now discredited teaching of Rousseau, and that newer and later teachers have something else to tell us, something of greater value and more practical import. There must be, it seems, no notion of a unified state built upon a citizenship of free political equals, but there must be a sort of federation of groups, or classes, each reserving to itself power, through the withdrawal of its coöperation, to cripple at will, or indeed to ruin, the entire social fabric. This fantastic notion appears to assume that free men are going to stand idly by and see civilization destroyed, not by the armies of militarist imperialism, but by the sinister and selfish mutilation of the body-politic through the destruction of some one or more of its essential services. Those who are so eagerly spreading this doctrine abroad in England, in France, in Italy, and in the United States, do not seem to realize that it invites, yes, compels, a social war that would rival in destructiveness the great military contest so lately ended, and against any possible renewal of which civilized man is now arming himself by every device of coöperation and wise counsel. We have protected society and civilization from militarism. Shall we now permit it to fall before the onslaughts of class consciousness and class interest?"[1] President Hadley says, "When people are taking thought for the public interest, Parliamentary government is probably the best government in the world. When large groups of people are concerned for their own several group interests and let the public interest fall into the background, it may prove the very worst."[2]

All classes in America live better than their forefathers, but all classes except the capitalists think they should have a greater share of production and wealth. Russia has convinced all that the capitalistic system is necessary but there is a feeling that the system needs to be changed in some way to bring about a more equal distribution. Just how is the greatest social problem of the age. The air is full of theories, most of which would use the government for that purpose and would sweep away the constitutional restrictions that stand in the way. Let us look at the different classes.

The farming class is the most conservative but has a real grievance. In the phrase adopted by Roosevelt it is not getting a "square deal." The capitalistic class is using the government to raise the price of what the farmer buys by shutting out foreign competition by a high protective tariff. The farmer feels he is not getting his share of prosperity. Emerson says that the apple tree is a stupid kind of creature but if you gradually remove the soil under it and substitute sand the apple tree after a time will begin to mistrust something.[1]

The clerical and educational class also feel that they are entitled to more, especially as their salaries although raised have not gone up as fast as prices. Universal education has flooded this class with numbers until the salaries even of teachers are often less than the wages of skilled mechanics. That is materialism run mad. The result is that this class would welcome a change that would better their condition. The clerical class is not vocal over the matter nor are the school teachers, but the professors write books and articles and make themselves heard. They tend towards radicalism without pointing out how capitalism is to be reorganized. They are opposed to confiscation but they vaguely demand freedom from restrictions on the power of the majority to work its own sweet will. They are the intellectuals, corresponding to some extent to the French philosophers who preceded the French Revolution.

The labor class is more militant. It includes most of the foreigners in our cities. Class interest here is placed above the American Constitution and institutions. Labor is inclined to violence to accomplish its ends, namely, high wages. Labor is willing that the farmers get low prices because that tends to cheap supplies, and labor is willing that capital bring no return. Labor believes that capital gets too much and labor too little. No specific mode of change is proposed, except communism or socialism. But in general labor has an intense class consciousness and while appreciative of freedom of opportunity yet it believes that the American Constitution and institutions preserve and foster the present capitalistic system of business, and believes that that system does not give labor a fair share of production and wealth. This attitude of the labor class is a menace to republican institutions, because it is liable to lead to civil war and a dictator. It is to be borne in mind, however, that this labor is largely city labor and makes a commotion altogether out of proportion to its size. As shown elsewhere, railroad unions represent a very small proportion of labor,* and miners still less,† and yet at times they threaten to stop transportation and coal. That situation is intolerable and will lead to legislation.

England is working out this labor question more rapidly than America because this is an agricultural country and moreover labor is not organized into unions as thoroughly as in England. English labor demands a greater and greater part of profits. The trouble is there seems to be no basis or rule as to how much. Concessions lead only to greater demands. The time comes when capital withdraws because prices cannot be raised beyond competition at home and abroad. Government subsidies cannot be given to all and subsidies to a few favored industries bear heavily and are unjust discrimination. They must be paid by taxation, which directly or indirectly is paid by all and depress all industry. Nor will capital submit to bearing all losses and then dividing its gains. Capital may fold its tent and quietly steal away. Capital meets losses through competition and hard times, and requires large gains as an inducement to stay. If labor by misuse of its power exacts more and more with no limit, except the Robin Hood rule, capital will shut down, and industry after industry will stop. If some equitable rule could be found for all industry, farming and middle class included, whereby excessive gains and also losses of capital could be apportioned among all, well and good, but as everybody knows that is impracticable. However, the English are face to face with the problem and their genius for compromise may work out a solution. The great difficulty is that no rule is put forward to temper labor's demands, and the limit seems to be only the point where industry stops.

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* See p. 237, *supra* and p. 645, *infra*.

† See p. 645, *infra*.

A far deeper question was involved when labor, as recently in England, demanded that the *government* pay them a subsidy or compel employers to pay a certain wage or else buy the coal mines, that demand being followed by sympathetic strikes cutting off coal, transportation, and food. Here a fundamental principle of government was involved, namely, whether a minority class could force the government to legislate in its favor as against the majority; in other words, was government to be by a belligerent minority or was the majority to continue to rule. Was one class to rule the government to the detriment of other classes? The coal miners having failed to rule the mine owners attempted to rule the government itself and compel it to do as they bid. The same principle was involved when the hard-coal miners of America struck in 1925 and tried to force the government to buy the mines or intervene. The American government refused to be forced. When a government by statute favors one class of labor it thereby to that extent makes slaves of all other classes to make up the deficit by taxation or higher prices for the article involved. Government then yields and becomes subject to the power of a class. It no longer is superior to and representative of all classes. It has renounced its power.

England saw this and put down the strike. The success of the English general strike would have meant "that a new government, organized by a comparatively small part of the population, had taken the place of the old . . .; two such rivals cannot exist at the same time."[1]

The foreign classes in our midst are liable to form *blocs* or to fall under the domination of labor unions. Some of these foreign classes are indigestible; for example, the East Side Jews in New York. Others herd by themselves and do not and never will understand American institutions; for example, the Slovaks at the mines and in the mills. If all of these were organized as English labor is organized, the peril would be very great. English labor, after all, is loyal always, but these foreigners do not even know what America is, to say nothing about being loyal to it. They are loyal only to their own race and to getting money. They are considered further later.*

The capitalistic class is last and most difficult to describe. It includes the idle rich, the working rich, and the corporations.

The idle rich to the extent that they invest and furnish capital for production are useful. To the extent that they waste money they are parasites on the community. The notion that their extravagant expenditures give employment and distribute wealth advantageously is exploded. They simply destroy wealth by destroying the products of labor, which labor could otherwise be usefully employed.[2] No economist has any respect for the idle rich. Cairnes, a high English authority, voiced the general sentiment when he said, "That useful function, therefore, which some profound writers fancy they discover in the abundant expenditure of the idle rich, turns out to be a sheer illusion. Political economy furnishes no such palliation of unmitigated selfishness. Not that I would breathe a word against the sacredness of contracts. But I think it important, on moral no less than on economic grounds, to insist upon this, that no public benefit of any kind arises from the existence of an idle rich class. The wealth accumulated by their ancestors and others on their behalf, where it is employed as capital, no doubt helps to sustain industry; but what they consume in luxury and idleness is not capital, and helps to sustain nothing but their own unprofitable lives. By all means they must have their rents and interest, as it is written in the bond; but let them take their proper places as drones in the hive, gorging at a feast to which they have contributed nothing."[1] The American idle rich do not have as a rule the merits of an aristocracy, namely, truth, a high sense of honor, courage, and fine manners. But the idle rich are not numerous in America. It is a reproach for a man not to have an occupation. In France a man retires from business when he has a sufficiency; in England the aristocracy formerly were not "in trade" and the man of leisure was respected; in America all are expected to work. A few idle rich devote themselves to yachts, sporting, European trips, "week-ends," stock speculation, and clubs. But they are comparatively few. They excite the envy and wrath of the laboring classes out of all proportion to their numbers. Unfortunately there is no way of preventing the worthless rich squandering and thereby destroying wealth. Sometimes the degenerate son of a strong man who has built up a business and died insists on taking control. He does not last long. The imbecility, wastefulness, and often fraud of his management drags the institution down until he is flung out.[2] Emerson says, "In a free and just commonwealth, property rushes from the idle and imbecile to the industrious, brave, and persevering."[3] As to profiteers, after a war they upset things until they spend or lose their money or learn conservation. Munroe well says "the urgent need of this country is not for more self-made men; it is that the men made by our vast and expensive systems of education, men who are heirs to the luxury, the refinement, the nice sense of aesthetic and ethical values created by generations of toil, of aspiration, of seeking for the high and good things of life, should take part in the work of democracy; that they should not, as the phrase is, descend into politics, but that they should lift politics up to them. The gravest menace to our social order is in the fact that youth of inherited brains, culture, and opportunity, young men who need never seek money, young men who have everything to bring to the commonwealth, should not devote their talents and their time to the public service; but instead, should either dissipate both in social inanities, or should consume them in heaping up more riches for the mere vulgar pleasure of accumulation. So crying is the country's need for the service of well-born, well-educated, well-dowered youth, that history and biography might well turn away completely for a time from the self-made leader and demand that the country be officered by men of a more perfect manufacture."[1]

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* See Chapter XXXIII, *infra*.

The working rich may get too much under the present capitalistic system; in other words, may be overpaid. But they certainly make the wheels go round. They accumulate great fortunes and only heaven in its providence knows why they are never satisfied. Some men are money makers by nature. You may put them on a desert island and they will accumulate the sand around them. These working rich men are generally good men. They have broad ideas and most of them come from the ranks. They find the capitalistic system at work and they adopt it with restless energy. They head great corporations and industries. They have spasms of generosity towards the public and give large gifts. But they are bound by unbreakable cords to money making and enormous undertakings. They do not want or take political office. They ward off governmental interference but are quite willing to use the government to favor their enterprises. At times they are the "invisible government," but always to make money. But their personal power generally dies with them. Death and the division of great fortunes among many children prevents continuity of great families, such as are found in Europe. Moreover, generally the descendants of the rich amount to nothing. They rarely use money wisely. By waste and dissolute lives they dissipate their wealth and die young. Of their fathers it may be said:

> "thou mak'st a testament
> As worldlings do, giving thy sum of more
> To that which had too much."

Professor Sumner of Yale well said, "We are told that classes are becoming more separated, and that the poor are learning to hate the rich, although there was a time when no class hatreds existed. I have sought diligently in history for the time when no class hatreds existed between rich and poor. I cannot find any such period and I make bold to say that no one can point to it."[1] The working rich are patriotic and devoted to the Constitution and American institutions, and in crises step to the front without hesitation to help their country. But they believe in industry as the chief aim in life and often are not over scrupulous in attaining that aim. They know that the Constitution protects their property and they are opposed to any weakening of that protection. Their existence is generally merged into that of their corporation.

The corporation is the storm center of attacks on property and the capitalistic system. The corporation owns and represents wealth. It is organized for profit to pay dividends. It is not soulless, inasmuch as it is operated and controlled by the working rich. But it exists for profit, generally legitimate, sometimes illegitimate. It has the principles of business. It goes into politics when politics interfere with or may aid its business. It battles with the labor unions because they interfere with profits. It has favored unlimited immigration in order to get cheap labor. It is largely responsible for the hordes of unassimilable immigrants from Southern and Eastern Europe and Asia Minor. It is the capitalistic system in full swing. It has absorbed the wealth of America and uses that wealth to increase production and capital. All "social interest" laws are at the expense chiefly of the corporation. The great corporations have brains, continuity, and are aggressive. But they want no political power except to keep what they have got and get more. They are great cowards and run under bare poles before any popular blast. "Capitalists never had less *irresponsible* power than now."[1] So Professor Sumner of Yale said and the italics are his. The corporations are repeatedly checked by the government; for example, the railroads, the trusts, the banks; and by infinite "regulations" under the "police power" of the States, a power which is the curtailing of the freedom of some for the benefit of the many. They do keep production moving and preserve the economic basis. They take all they can get and perhaps get too much. But they are patriotic and opposed to socialism and all of the other isms that would uproot American institutions. All forms of socialism attempt to do for the community that which the corporation does for its stockholders. But the fact is that human nature in general will not work unless it gets its distinctive reward, and so socialism breaks down. The capitalistic system may be unfair in its distribution of production and profits, but no other system is workable, so far as at present discovered. The edges of the corporation may be trimmed by "social interest" laws, and constitutional protection weakened by amendments and free construction of "due process of law," but this does not get very far and the corporation survives the shocks. Labor may advance its standards, but it will gradually be forced to recognize the law of Malthus and the "law of the land." Relief will not come in any of these ways. It will come by the gradual realization by the working rich that public service is higher than excessive wealth, and that this public service may consist in raising the character of the other classes.

I believe with Hoover that "In the end, no group can dominate the nation and a few successes in imposing the will of any group are its sure death warrant. . . . With the enormous shift in growth to industry and commerce we have erected organisms that each generation has denounced as Frankensteins, yet the succeeding generation proves them to be controllable and useful." [1]

The clash of class interests in America is not now menacing. But as time goes on it will become dangerous. In fact it will be the only great danger to the great republic. There will be no real danger from without; the danger will be factions from within; class interests, class selfishness and aggression, using the government for unfair purposes.

CHAPTER XXXII

DISMANTLING THE STATES

Modern amendments to the Constitution take powers away from the States but do not take powers away from the federal government and give them to the States. President Judson of Chicago University points out that the last "seven amendments have added to the power of the federal government at the expense of the states — either depriving the states altogether of certain powers, or vesting in the federal government concurrently with the states powers theretofore belonging to the latter only."[1] In a bewildering manner the federal government is absorbing all powers. There is the Prohibition Amendment. It swept the power away from the States and gave it to Washington. A horde of government employees by land and sea keep guard on the daily habits of the people. If the law is enforced, it is hated; if not enforced, it is discriminatory and productive of lawlessness. It is an eminent example of what will happen when the federal government absorbs all of the important police powers of the States. The latest proposed amendment — Child Labor — would have added hundreds of thousands of employees to the federal staff and put them over every industry in the country. It has been defeated, and while every fair-minded person favors child labor laws, every far-seeing person fears a federal despotism. Unless there is an end to this centralization of power at Washington, he who controls the government will control the people, and the government will be greater than the governed. That leads to governmental tyranny. All power, all governmental activities, are being concentrated at Washington. As Senator Wadsworth said on January 16, 1926, "If this power increases, we shall have established at Washington a great imperial government, overtopping and submerging the power of the people themselves in their several states and communities, manned by an army of bureaucrats, remote, often irresponsible, gaining more and more strength from its own momentum and clothed finally with the power to regulate the life of every person in the Republic." [1] What this absorption of powers by the federal government means may be realized by considering that in his daily life the American is affected chiefly by state laws and not by federal laws. As Judge Cooley says, "In the division of powers between States and nation, the larger portion, including nearly all that touched the interests of the people in their ordinary business relations and in their family and social life, were reserved to the States. All that related to the family and the domestic relation, the administration and distribution of estates, the forms of contract and conveyance, the maintenance of peace and order in the States, the punishment of common-law offences, the making provision for education, for public highways, for the protection of personal liberty and liberty of worship, — all these powers were withheld from the jurisdiction of the federal government, and retained by the States, and their retention was calculated to give to the body of the people a larger interest in a proper administration of state authority than in that of the nation." [2] Moreover, the police power was retained by the States and no police powers were granted to the federal government. So also the granting of charters to local corporations and to municipalities and the regulation of *quasi* public corporations in their intrastate business belongs to the States. Lord Acton, the English historian, says: "The true natural check on absolute democracy is the federal system, which limits the central government by the powers reserved, and the state governments by the powers they have ceded. It is the one immortal tribute of America to political science, for state rights are at the same time the consummation and the guard of democracy." [3] Gradually but unceasingly, however, the States are being destroyed. The framers of the Constitution were keenly aware of this danger that the States would be gradually eliminated by a centralized federal government. They provided against it the best they could. A little later the safeguards were strengthened by an express declaration in the Constitution that powers not delegated to the federal government were reserved to the States or people. But of course the Constitution had to allow amendments and now that power of amendment is being used to absorb all governmental power. In the wake follow extravagance, waste, an army of office holders, espionage, interference with private affairs, and dissatisfaction. A popular hero will appear who will attack property, favor equality of wealth, sanction every "reform," build up a powerful political machine, be reëlected again and again, and finally consider himself above the law. President Coolidge in an address May 16, 1926, well said, "No method of procedure has ever been devised by which liberty could be divorced from local self-government. No plan of centralization has ever been adopted which did not result in bureaucracy, tyranny, inflexibility, reaction, and decline. Of all forms of government those administered by bureaus are about the least satisfactory to an enlightened and progressive people. Being irresponsible they become autocratic, and being autocratic they resist all development. Unless bureaucracy is constantly resisted it breaks down representative government, and overwhelms democracy. It is the one element in our institutions that sets up the pretence of having authority over everybody and being responsible to nobody. While we ought to glory in the Union and remember that it is the source from which the states derive their chief title to fame, we must also recognize that the national administration is not and cannot be adjusted to the needs of local government. It is too far away to be informed of local needs, too inaccessible to be responsive to local conditions. The states should not be induced by coercion or by favor to surrender the management of their own affairs. The Federal government ought to resist the tendency to be loaded up with duties which the states should perform. It does not follow that because something ought to be done the national government ought to do it. But, on the other hand, when the great body of public opinion of the nation requires action, the states ought to understand that unless they are responsive to such sentiment the national authority will be compelled to intervene. The doctrine of state rights is not a privilege to continue in wrongdoing but a privilege to be free from interference in welldoing. This nation is bent on progress. It has determined on the policy of meting out justice between man and man. It has decided to extend the blessings of an enlightened humanity. Unless the states meet these requirements, the national government reluctantly will be crowded into the position of enlarging its own authority at their expense. I want to see the policy adopted by the states of discharging their public functions so faithfully that instead of an extension on the part of the Federal government there can be a contraction." [1]

And there is another and equally important phase of the matter. As John Stuart Mill says in reviewing De Tocqueville's famous book on America, written nearly a hundred years ago, "M. de Tocqueville sees the principal source and security of American freedom, not so much in the election of the President and Congress by popular suffrage, as in the administration of nearly all the business of society by the people themselves. This it is, which, according to him, keeps up the habit of attending to the public interest, not in the gross merely, or on a few momentous occasions, but in its dry and troublesome details. This, too, it is which enlightens the people; which teaches them by experience how public affairs must be carried on." And Mill adds, "Whatever might be the case in some other constitutions of society, the spirit of a commercial people will be, we are persuaded, essentially mean and slavish, wherever public spirit is not cultivated by an extensive participation of the people in the business of government in detail; nor will the desideratum of a general diffusion of intelligence among either the middle or lower classes be realized but by a corresponding dissemination of public functions, and a voice in public affairs." And again he quotes from De Tocqueville, "'The humblest individual who is called upon to coöperate in the government of society acquires a certain degree of self-respect; and, as he possesses power, minds more enlightened than his own offer him their services. He is canvassed by a multitude of claimants who need his support; and who, seeking to deceive him in a thousand different ways, instruct him during the process. He takes a part in political undertakings which did not originate in his own conception, but which give him a general taste for such undertakings. . . . When the opponents of Democracy assert that a single individual performs the functions which he undertakes better than the government of the people at large, it appears to me that they are perfectly right. The government of an individual, supposing an equal degree of instruction on either side, has more constancy, more perseverance, than that of a multitude; more combination in its plans, and more perfection in its details; and is better qualified judiciously to discriminate the characters of the men it employs. If any deny this, they have never seen a democratic government, or have formed their opinion only upon a few instances. It must be conceded, that, even when local circumstances and the disposition of the people allow democratic institutions to subsist, they never display a regular and methodical system of government. Democratic liberty is far from accomplishing all the projects it undertakes with the skill of an intelligent despotism. It frequently abandons them before they have borne their fruits, or risks them when the consequences may prove dangerous; but, in the end, it produces greater results than any absolute government. It does fewer things well; but it does a greater number of things. Not what is done by a democratic government, but what is done under a democratic government by private agency, is really great. Democracy does not confer the most skilful kind of government upon the people; but it produces that which the most skilful governments are frequently unable to awaken, — namely, an all-pervading and restless activity; a superabundant force; an energy which is never seen elsewhere, and which may, under favorable circumstances, beget the most amazing benefits. These are the true advantages of Democracy. . . . The men who are intrusted with the direction of public affairs in the United States are frequently inferior, both in point of capacity and of morality, to those whom aristocratic institutions would raise to power; but their interest is identified and confounded with that of the majority of their fellow-citizens. They may frequently be faithless, and frequently mistaken: but they will never systematically adopt a line of conduct hostile to the majority; and it is impossible that they should give a dangerous or an exclusive character to the government. The mal-administration of a democratic magistrate is, moreover, a mere isolated fact, the effects of which do not last beyond the short period for which he is elected.'" [1]

B

PROBLEMS OF THE REPUBLIC

GRAVE problems are before the American people, just as grave problems have always been before them. Some of them have already been considered. A few others may well be discussed.

CHAPTER XXXIII

FOREIGN RACES IN AMERICA* — WARNINGS FROM BIOLOGY, GENETICS AND EUGENICS

IT is a mistake to think that this country is or ever will be other than purely American, either as to control or the majority of its population, its institutions, or its ideas. Immigration from England and other countries prior to 1750 started the colonies, but the entire immigration up to that date was small compared with the total colonial population. The increase was by growth of American families. After the first inrush from England to New England after 1630 (about 20,000) the immigration fell off, due to the rise of Cromwell and of religious toleration in England, and the better-known hardships in New England. Franklin in 1751 estimated that there were about a million English in the colonies and that less than eighty thousand were immigrants. Those were the days of very large families, especially in New England. A census volume estimated that in 1790 about 82% of the population was English; 7% Scotch; 5.6% German; 2.5% Dutch; 1.9% Irish, etc., and the rest scattering.[1] This census has been criticized, but as Professor Fairchild says,[2] the figures are reasonably reliable. Orth says, "The Census Bureau estimated that in 1900 there were living in the United States approximately thirty-five million white people who were descended from persons enumerated in 1790. If these thirty-five million were distributed by nationality according to the proportions estimated for 1790, the result would appear as follows:

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* See Chs. XII–XVIII and pp. 239–242, *supra.*

English	28,735,000
Scotch	2,450,000
Irish	665,000
Dutch	875,000
French	210,000
German	1,960,000
All others	105,000 "[1]

Ninety per cent of the members of the Constitutional Convention of 1787 traced their origin to the British Islands, and in 1927, one hundred and forty years later, 81% of our United States Senate had the same origin.[2]

Nor do foreigners since 1776 cut so large a figure as is generally supposed. The United States census estimate of "pure native ancestry" (those whose ancestors lived in this country in 1790) is that in 1920 of the 94,820,915 white people in this country, 47,330,000 "would have been enumerated in that year had there been no immigration nor emigration since 1790 and if, nevertheless, the rate of natural increase had been what, historically, it appears to have been."[3] Moreover, the census shows "that the distinctly native stock, by which is meant the descendants of those persons who were enumerated at the First Census [1790], has not ceased to increase as a whole, but that this increase is being contributed unequally by different parts of the country. . . . In the South and in certain of the Northern Central and Western states, without question the representatives of the early stock are contributing with reasonable liberality to the increase of population. This analysis indicates that the native white stock is increasing in the entire Nation at the rate of about 11 or 12% per decade,"[4] which is the average rate in England and

Scotland, and the rate usual with nations that have reached maturity. Orth, speaking of immigration from 1790 to 1840, says, "For nearly half a century the American stock remained almost entirely free from foreign admixture. It is estimated that between 1790 and 1820 only 250,000 immigrants came to America, and of these the great majority came after the War of 1812. The white population of the United States in 1820 was 7,862,166. Ten years later it had risen to 10,537,378. This astounding increase was almost wholly due to the fecundity of the native stock. The equitable balance between the sexes, the ease of acquiring a home, the vigorous pioneer environment, and the informal frontier social conditions all encouraged large families." [1] Professor Brigham says: "If we add to the 47,000,000 descendants of the stock of 1790 those who belong to the earlier kindred immigrations, we shall find nearly 60,000,000 whites whose citizenship and Americanism go back more than sixty years. Older Americans know and feel, from lifelong contact with our people and our institutions, that beneath all the temporary waves rising on the surface of a new society is this deep sea of Anglo-Saxon tradition." [2] It is true that from 1910 to 1920 the native whites of foreign parents increased 21.5%, and in 1920 there were 11,872,090 foreign-born whites in the United States, but their nationalities contained some desirable elements; 3,794,555 were from northwestern Europe; 4,365,181 from central Europe, while only 1,809,573 were from eastern Europe, and 1,902,781 from southern Europe. Burr estimates that in 1920 about 86% of Americans were of the same general racial composition as in 1776.[3] This of course refers to the Nordic stock. Stevenson says that up to 1883 about 95% of the immigration was from western Europe, whereas in 1907 fully 81% was from eastern and southern Europe.[4] It is true also that in 1910 about a quarter of the men in the United States over 21 years of age were foreign born, and in 1920 they were still over a fifth; in New York, New Jersey, and Pennsylvania 35%; New England 38%;

Massachusetts 42%; Boston 46%; New York City 53%. It is also stated that in 1915 about 22% of the children born in Connecticut had an Italian father; 20% in New York and Rhode Island; 12% in Massachusetts; and 9% in Pennsylvania. It is further true that between 1900 and 1910 some 8,000,000 foreigners entered this country and in 1910 the foreign born were 14.5% of all whites.[1] Orth writes, "Until 1882 the bulk of immigration, as we have seen, came from the north of Europe, and these immigrants were kinsmen to the American and for the most part sought the country. The new immigration, however, which chiefly sought the cities, hailed from southern and eastern Europe. It has shown itself alien in language, custom, in ethnic affinities and political concepts, in personal standards and assimilative ambitions."[2] But the flood has now been stopped by law and many of the undesirables are here only to make a little money and then go back; in fact the males here often greatly outnumber the females. During the 90 years from 1820 to 1910 about 64% of the immigrants were males, and of the Italians during the 10 years ended in 1909 over 78% were males.[3] In 1924 more unskilled labor returned to Europe than came in by immigration. Moreover, the second generation of foreigners has less children. Henceforth America will restrict immigration and the stock of "pure native ancestry" will continue to dominate. Stoddard says that the lack of increase in the Nordic stock is local to New York and New England. He says, "One of the outstanding features of the 1920 census was the steady increase of the old colonial stock throughout the West and South, which showed that it was a sound and vigorous element with no signs of racial decline. And even in New York and New England, where conditions are the most unfavorable, the old stock only just barely fails to reproduce itself. It would not be surprising if the census of 1930 should reflect the beneficial results of our immigration-restriction laws and should show that in New York and New England the old stock was at least holding its own. These facts should greatly hearten all true Americans, especially those who have long been waging an apparently losing fight for the maintenance of American ideals in localities especially threatened by alienism. The turn of the tide has been so recent that many persons are unaware of it and still regard the future with gloomy foreboding. Such persons should wake up to the fact that the tide has turned." He also says, "Let Americans 'on outpost' remember the vast reservoirs of loyal America — the strong men of the Middle West; the eagle-faced men of the Sierras; the quiet, watchful-eyed men of the South. There they are, in their millions and tens of millions, going about their business and serenely confident of the future. Yet those millions are one in love and devotion to their America, and if a crisis 'on the outposts' ever arose, they would march and settle the matter with the thoroughness which Americans always display when a really big job has to be done. . . . Down to the closing of the gates to mass-immigration, America was headed straight for social and racial war. If the alien flood had poured in for another ten years, conditions would have become desperate. Our Northeastern states would have been swamped by the immigrant tide, and mass-alienism would have grown so self-confident and aggressive that it would have made a determined bid for control." [1] In the note hereto is given a reproduction of two pages from the United States Census for 1920, Vol. II, pp. 971, 972,[2] showing the comparative number of foreigners in various states. It will be noticed that New York State is far and away the chief home of these foreigners and of course that means New York City. Fortunately, the interior of New York State controls that State, thus restricting the influence of the foreigners. Furthermore, the foreign-born population in the West, small though it be in proportion to that in the Eastern states, shows a much larger proportion of Scandinavians, Germans, and British. In 1900 of every 27,000 foreign born in the North Central states only 12,000 were from eastern and southeastern Europe, while of a similar number in the North Atlantic states some 21,500 were from those parts of Europe.[1] The comparative influence of the foreign population in the whole United States is minimized by reason of this concentration in a few great eastern cities. Moreover, when hard times come again, as come they will, hundreds of thousands of these Italians, Slovaks, Bohemians, Polacks, and Russians will go back — a silver lining to the industrial cloud. It may cause a dearth of labor, but let industry slow down and preserve this country for Americans. The natural increase of population is all that we can properly care for. It would have been far better if we had shut off immigration long ago and reserved our rich farming land for our own increase. There is much truth in what Woodruff says: "Our immigration has, so far, prevented the birth of 20,000,000 in America."[2] Our protective tariff abnormally increasing manufactures, leading to importations of cheap labor, has worked disastrously in dragging down our citizenship.

Four problems have been thrust upon us by this horde of immigrants from southern and eastern Europe; first, can the children of these immigrants be made equal in capacity to the old American stock (this involves Mendel); second, do the prolific births among these people menace the American stock (this involves Malthus); third, will intermarriage drag down the American stock (this involves genetics); fourth, have biology, genetics, and eugenics[3] any remedy (this involves birth control).

First, will American environment (education, higher standards of living, associations, etc.) make the *innate* qualities of their children better than the innate qualities of the immigrants themselves; the mental and moral qualities? Science says, No; environment will do nothing of the kind. Environment may give education, etc., but the *fundamental* mental and moral nature of the child is the same as that of its ancestors and will be the same for its posterity. This alone is inherited. A man's characteristics acquired from environment are personal to him and die with him and are not inherited, and the work of education, etc., has to be done all over again with his child. This is so whether he be a Sicilian or the President of the United States. Now these mental powers inherited from remote as well as recent ancestors vary as widely as individuals and the races of men. Great qualities may skip generations and then reappear; so also bad qualities. The inherited brain (the seat of the mind) harks back to the brains of its ancestors in its structure, size, convolutions, compactness, texture, and nature. It inherits reflexes, instincts and, most important of all, memory, mental capacity, and will. Whether such qualities, as energy, perseverance, concentration of mind, decision of character, tenacity of purpose, conscientiousness, temper, vivacity, ability, superior reasoning powers, natural refinement, zeal, capacity for hard work, faculty of observation and width of outlook, are personally acquired by the individual from environment or on the contrary are inherited, is still an unsolved problem,[1] but certain it is that if they are personally acquired from environment and not inherited they never pass on birth to the offspring but have to be recreated each generation. Some at least of them are probably inherited but here the microscope fails, because those qualities are not visible or discoverable from the physical structure of the brain, and hence conclusions have to be slowly gathered by comparisons of careers of families and individuals, the method of Galton and hundreds of others. So long as science doesn't know, the layman is entitled to his commonsense view.

Biology seems to teach that a child originates from and is created by 48 chromosomes,* one-half from its father and one-half from its mother. Some of these 48 are from remote ancestors; some from later ancestors; all 48 unchanged by environment, but possibly changed by inherited mutations.† The parents and ancestors all together possessed more than these particular 48 chromosomes, but the child has only 48 of them. Whether the selection is by chance or on some principle, science does not yet know. If the 48 include some choice chromosomes, the child may develop into a great man or superior woman. If all are ordinary, the child is ordinary. Like the wild seed which nature scatters with profuse hand and as if by chance, a few become sequoia — giants of the forest. Nature shuffles the cards, the chromosomes. If you draw four aces, you win. If you draw low cards, you lose in the game of life. Environment may help to shuffle the cards but contributes no card itself.[1] Common stock begets common stock. Bad qualities are inherited as well as good qualities. The important application of all this is that not merely the physical nature but mental and moral qualities or at least capacities are inherited from both father and mother and pass on from age to age,[2] while qualities derived from environment, education and influences are not so inherited and passed on, but have to be rebuilt each age. That prospect is not pleasing. The mentality of these recent immigrants from southern and eastern Europe is low. That mentality will descend to their descendants. Would that they had not come. They will be a drag on the nation. All this pertains equally to the negro. Mendelism discredits them. What Mendelism means is set forth at some length in the notes hereto.[3] The books on the subject make a library. Biology, genetics, eugenics and hygiene, since Weissmann's time, some forty years ago, have been full of the controversy. But every farmer knows that he cannot breed superior stock from inferior. Professor Conklin, a high authority, says, "Upon the belief that men are made by their environment and training rather than by heredity are founded most of our social institutions with their commands and prohibitions, their rewards and punishments, their charities and corrections, their care for the education and environment of the individual and their disregard of the inheritance of the race. To a large extent civilization itself means good environmental conditions, and the advance of civilization means improvement of environment. . . . On the other hand modern studies in genetics are emphasizing the immense, the overwhelming importance of heredity. . . . Belief in the omnipotence of environment for the evolution of species has steadily waned in recent years. . . . The old view that men are chiefly the product of environment and training is completely reversed by recent studies of heredity. The modifications which may be produced by environment and education are small and temporary as compared with those which are determined by heredity. . . . All of our social and ethical institutions such as government, education and religion deal only with extrinsic factors of development and of life. Nevertheless there is no evidence that the effects of good environment or good training ever change the germinal constitution. The influences of environment and education affect only the development of the individual and not the constitution of the race, and consequently such influences are temporary in effect and must be repeated generation after generation."[1]

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* This word is explained on pp. 744, 745, *infra*.

† Mutations are explained on p. 745, *infra*.

Second, do the prolific births of these people menace the predominance of the American stock? This is a peril not to be ignored. These foreigners in the cities breed like rabbits, while large classes of the old American stock do not even keep up their numbers. If this continues, it is a mathematical certainty that the descendants of the newcomers will crowd the descendants of the old stock off the platform.[2] That was exactly what ended the Roman Republic. That is what has happened in New York City and Boston. Professor Ross says, "Overwhelming is the evidence that in the northern section of the United States foreign stock has been supplanting native stock not by greater efficiency but by living low and breeding irresponsibly."[3] The Nordic race can never be driven out by force but may be submerged by a flood of inrushing races — peaceful penetration and prolific outbreeding. Dr. Laughlin, a thorough expert connected with the

Carnegie Institution of Washington, stated to a House Committee on March 8, 1924, "If the American Nation decides that it is still unmade as a people, then it might well throw open the doors and admit all comers, but if it decides that we have national ideals worth saving, not only in national tradition and individual quality, but also by racial ingredients, the Nation must exercise stricter control over immigration. This is a critical period in American history. We can continue to be American, to recruit to and to develop our racial qualities, or we can allow ourselves to be supplanted by other racial stocks."[1] As Dr. Laughlin well says in a letter to the writer hereof, "Adherence to our racial standards is one of the essential institutions of American life. Unless this basic institution be preserved and developed the essential character and genius of other American institutions must disappear." The rapid increase of the offspring of immigrants from southern and eastern Europe is an increase of the unfit from the American point of view. And nature lends a hand. Nature causes a population to bubble up so long as food can be obtained and self-restraint not exercised. "Early marriages and the number of births are indissolubly connected with abundance of food." Professor Pigou of Cambridge University says, "As regards marriage, there is the well-known relation of the English marriage rate to wheat prices in the earlier part of the nineteenth century, and to exports, clearing-house returns, and so on in the latter part."[2] In fact, the sex instinct has been so "overloaded" by nature to preserve the species it disregards poverty and hunger. As Machin says, "If self-preservation is the first law of nature, reproduction of the species is the second. The sexual passion is second only to the instinct to live."[3] And as Sumner and Keller say, nature "seems to care only, though fanatically, that life shall be passed on and on. Behind reproduction she has placed the stress of a dominating passion and in thousands of ways she has sought to render propagation — in fact, exuberant propagation — inevitable. She cares nothing for the individual interest and even less for canons of human propriety; it is the race-interest, calling for numbers, that is the absorbing consideration."[1] "There is no exception," Darwin says, "to the rule that every organic being naturally increases at so high a rate that, if not destroyed, the earth would soon be covered by the progeny of a single pair."[2] The potato when brought into Ireland increased the population by millions in a comparatively short time, and when the crop failed there was famine and emigration to America. Java under the Dutch has increased since 1800 from 5,000,000 to 37,000,000 — over sevenfold. Asia and Africa teem with population where food is plentiful. Egypt under recent improved agricultural conditions grew in fifteen years from seven to nearly ten millions population. America most of all in its colonial history shows how abundant food increases the people. Given good living, population will ultimately increase until the living no longer supports life. The population of England in 1710 was 5,066,000. In 1780 it was 7,814,000;[3] in 1821 it was about 12,000,000; in 1921 it was 37,881,242. "In eighty-two years (1800–1882) Europe shows an increase from 187,000,000 inhabitants to 330,000,000, the United States from 5,000,000 to 50,000,000. The growth has been much more rapid among the Anglo-Saxon peoples; in these eighty years the number has trebled."[4] China and India are grossly overpopulated but are not aggressive because not organized. Germany was overpopulated and warred to obtain more territory. Japan is overpopulated and yet encourages further increase to gain war power. That makes her a menace to the peace of the world. France was in danger of overpopulation and so checked herself with the usual French clarity of mind. Julian Huxley says, "A distinguished thinker once said in my hearing that he believed a healthy and desirable state of society to be incompatible with an increasing population: and I am inclined to agree with him."[5] Norton, a recent writer, says, "Whatever havoc modern statisticians have been able to raise with the mathematical formula in which Malthus stated his law of population, they have not been able to upset his main tenet that population tends to outrun the food supply. If a close study of the statistical evidence from various parts of the world leaves doubt in the mind of the student, let him go to China and look about him. There he will see the laws of Malthus in actual operation. There a birth rate free from all limitation has produced and is today producing the precise effects which that realistic philosopher insisted that it would. The increase in population has been so rapid that it has far outstripped the available food supply; and thirty million or more Chinese, nearly ten per cent of the population, are fighting a losing battle below the line of minimum nourishment, are living in a state of semi-starvation. In the train of this excessive population increase come the four positive checks of population which Malthus mentioned, disease, war, plague and famine. . . . China's efforts for salvation must include an abandonment of the present practice of unlimited sexual indulgence and the reckless overproduction of human lives. This aspect of the question has rarely been brought home to the Chinese by their self-appointed Western tutors. So thoroughly has our civilization been imbued with the injunctions of the Catholic Church and of the materialistic governments of Europe, that even Protestant sects are reluctant to recognize the importance of this question in our own countries. In China real emphasis upon it is of vital necessity, there is all too little attempt to make it clear. Missions and mission hospitals have striven nobly to bring the blessings of modern medicine to the Chinese, but the teaching of the only social precept which would make it a permanent gain has been frowned upon as it still is in the United States." [1]

We now come to the application of the above. What classes increase and what is the effect on other classes? In America the most rapid increase is among these recent immigrants from southern and eastern Europe. They congregate in the great cities and are rapidly outnumbering the old stock. There is no overpopulation as yet in the country districts and small towns. But they will fill up fast enough of their own increase, and the problem is how to keep down the increase of the newcomers in the cities. That question is considered a little later. The great and important fact faces us that inferior races in the race of life may outbreed and displace superior races with whom they are in contact. The progeny of these foreigners bid fair to outnumber the American stock. It is the same tendency as exists in the competition of the whole white race with the yellow, the brown, the black, and the red races. In South Africa, where more whites are leaving than are coming in, the manager of the census bureau in 1924 said, "The European race can only strengthen itself numerically by seeking help abroad. Failing this aid, it must for all time renounce the maintenance of a white civilization except as a minority, condemned to retreat before a growing majority which will finally dominate."[1] As Curle, an English writer, speaking of the United States, says, "How easy, for that great and rich country, to throw itself open to the distressed of the earth, such as Russians, Poles, Armenians, Syrians, or Greeks; or to the peoples of the crowded lands, such as Italians, Chinese and Japanese. The whole world would be using America as a sanctuary, and blessing her. But in about one hundred years it would be found that the fine white American strain had disappeared; that the American of that day was an almond-eyed dago; and that there was 'standing room only' from Miami to Seattle. It would be the height of folly for America to adopt humanitarian ethics of this nature; a policy of selfish Nationalism is clearly the right one."[2] Let it not be assumed that the white races are inexpugnable. Even in Charlemagne's time (742–814) the white races were being driven in. His empire included only France, the British Isles, the Netherlands, Scandinavia, the western half of Germany, and the northern part of Italy. The Huns, Arabs, Mongols, and Turks were attacking on all sides. The Mediterranean was three-fourths a Turkish lake. The Tartars controlled Russia; the Moors, Spain; the Saracens, southeastern Europe.[1] It is true that the Romans, aided by the West Goths, in 451 at Chalons defeated the Huns under Attila and "never again were the mounted nomads of central Asia to come so far west."[2] It is true also that Charles Martel in 732 in a seven days' battle at Tours crushed the Arabs who had conquered Spain and invaded France, and in 1380 the Russians broke the power of the Mongols or Tartars, and in 1571 Don John of Austria destroyed the Turkish sea power at Lepanto, but in 1453 the Ottoman Turks took Constantinople and still hold it. John Sobieska of Poland in 1683 in a great battle defeated and permanently stayed the westward progress of these Turks, and in 1492 Ferdinand and Isabella conquered the Moors in Spain and later expelled them. It is true also that the white races, especially the Anglo-Saxon branch, have extended their power over most of the world, but the white races have recently been engaged in destroying each other and are not increasing as they did. The brown man and yellow man and black man and red man are still reaching out and if assimilation with the white man takes place the white man will disappear. It is generally admitted that where two races mix the more primitive one gradually predominates and drags down and eliminates the other.[3] It is estimated that there are from 1,700,000,000 to 1,850,000,000 people on the earth and only 550,000,000 of them are white.[4] While the alarmist views of writers, who believe the white races or at least the Nordic race are being submerged,[5] are hardly consistent with the rapid increase of those races within the past two hundred years,[6] yet the other races are beginning to realize their own size and power, and are beginning to assert themselves.

Turning again to our main theme — do the prolific births of immigrants from southern and eastern Europe threaten the predominance of the American stock — the answer is that they certainly do in the large cities, and those large cities are more and more dominating the states in which they are located. And the results are not good. Bad government results with rare and temporary exceptions. The inferior dominates the superior. The old is supplanted by the new. That way leads to ruin. Rome fell because the early Roman blood ceased to be. It was destroyed by war — foreign and civil; driven out by slavery; enfeebled by malaria from Asia; lessened by having few children; transplanted to foreign colonies; enervated by luxury; supplanted by wornout races from the East and by barbaric races from the North. Fortunately these barbaric races were capable of great development, and built a new civilization. But Rome itself fell never to rise again. The old Roman blood was gone. The inferior had driven out the superior.

Third, intermarriage, amalgamation. Senator Lodge said in the United States Senate in 1896, "If a lower race mixes with a higher in sufficient numbers, history teaches us that the lower race will prevail. The lower race will absorb the higher, not the higher the lower, when the two strains approach equality in numbers. In other words, there is a limit to the capacity of any race for assimilating and elevating an inferior race; and when you begin to pour in in unlimited numbers people of alien or lower races of less social efficiency and less moral force, you are running the most frightful risk that a people can run. The lowering of a great race means not only its own decline, but that of civilization."[1] Urwick says: "A few years ago it was the fashion to regard America as a vast melting pot of different nationalities. The shrewdest observers now warn us that it is not really a melting pot at all, and perhaps never will be. The elements will not fuse together; they become parts of a more or less united whole, but they remain separate parts, and their separateness increases even while their union with the whole becomes more compact."[2] Professor Fairchild says, "Certain sweeping statements are made to the effect that mixed races are superior to either of the originals, especially if the latter are not too far apart, and some efforts are made to bolster up this assertion by reference to various of the great civilizations of history. But these are mostly *ex cathedra* pronouncements, without a semblance of support by any factual evidence. It is, indeed, as already stated, a matter about which we know very little. The various cases of race mixture about which information is available are so complicated by social and environmental factors, often of a very unfavorable kind — as, for instance, in the case of the racial nondescripts in the seaports of the world — that it is practically impossible to isolate the results of purely racial factors." [1] But Professor Hankins well says: "High cultures have only been produced by the combinations of well-endowed races." [2] Draper says, "Rome perished because the original Roman race was lost in an intermixture of foreign blood. Greece perished because of the Macedonian conquest of Persia. No Greek remained in his sterile home who fancied that the wealth and luxuries of Asia were within his reach. In the swarming myriads of Oriental people the sparsely-scattered Greek immigrants disappeared." [3] The warning is justified. Professor Conklin well says: "The greatest danger which faces any superior race is that of amalgamation with inferior stock and the consequent lowering of inherited capacities . . .; the general or average results of the crossing of a superior and an inferior race are to strike a balance somewhere between the two." [4] Professor Conklin also says: "In welcoming the immigrant to our shores we not only share our country with him but we take him into our families and give to him our children or our children's children in marriage. Whatever the present antipathies may be to such racial mixtures we may rest assured that in a few hundred years these persons of foreign race and blood will be incorporated in our race and we in theirs. From the amalgamation of good types good results may be expected; but fusion with inferior stock, while it may help to raise the lower type, is very apt to pull the higher one down." [5] The negro is already a menace in that direction.* President Eliot's belief that foreign

* See Chapter XV, *supra.*

races in America will not be assimilated* is only a hope. History says it is an illusion. And this assimilation by intermarriage will drag down the American race. The descendants of the south Italian, the Polack, the Russian, the negro, will have the traits of their forbears, even though mingled with the traits of Americans. The result cannot be good for the American race. If the heritable qualities of these people do not change (and science says they do not), they are no heritable qualities for us. Their chromosomes † are not of the right kind. If science is right then the vociferous are wrong when they talk about "diverse contributing cultures" and "composite civilization." The "melting pot" is a witches' cauldron, brewing all sorts of mixtures. It is no answer to cry "race prejudice." It is race preservation and not race prejudice. It involves the preservation of American institutions, the future of the American people. As Burke says — Better be alarmed by the midnight bell than be burned in your bed. It is bad enough that children of inferior people continue the inferiority, but it is doubly bad when a superior people intermarry with them. Then while the posterity of the lower class is raised up the posterity of the upper class is dragged down. By "upper class," as here used, is meant not an aristocracy or monied or professional or social class, but a class of character and intelligence, like all classes of the old American stock.‡ If the above statements are correct the bars against further immigration were put up none too soon and perhaps too late. Dr. Laughlin when asked by a House Committee on February 21, 1928, as to what would have happened if the 2% restriction by the law of 1924 had not been enacted, said: "The racial constitution of the ultimate American would, before many generations, be very different from the American of today. It would be certain in time to upset our ideals of law and government, and it would cause also a severe social upset. Our social ideals would be changed because the fundamental instincts of the people would be different." There are those who refuse to claim that the Anglo-Saxon is superior intrinsically to the southern and eastern European, although centuries have trained the former in government and liberty while centuries have done little or nothing for the lower classes of the latter. Those immigrants have no more conception of American institutions and laws than they have of the precession of the equinoxes. It is idle to claim that the American environment (schools, habits, customs, etc.) will change their inheritable natures. They will hurrah for the flag and then combine in a *bloc* for political power to use in their own behalf and to displace the old Americans. The Americans are justified in stopping their immigration. They have no more claim to admission than the Hottentot or Bushman of South Africa. Certain it is that unless this immigration had been stopped tens of millions from southern and eastern Europe would have absolutely swamped the American race by outbreeding the American stock. The cry of "race prejudice" is the cry of "stop thief," raised by the thief himself. Balfour writes: "I at least find it quite impossible to believe that any attempt to provide widely different races with an identical environment, political, religious, educational, what you will, can ever make them alike. They have been different and unequal since history began; different and unequal they are destined to remain through future periods of comparable duration."[1] Professor Conklin says, "Undoubtedly the ultimate standing and success of any popular government must depend upon the intelligence of its citizens, and yet owing to the larger families of the unintelligent and to the great influx of foreigners of low mental capacity, our average intelligence has probably been declining for the past twenty-five years at least."[2] Mendelism may yet save America. The widespread clamor about cultural contributions of these newcomers is rubbish and largely interested propaganda. Cultural contributions *have* come from the old immigrants — French, Dutch, English, Scotch, Scandinavian. But if anybody expects anything of that kind from southern Italians and immigration from Asia Minor and eastern Europe he will be sadly disappointed and America will pay the penalty in jeopardizing its own institutions. They should be shut out ruthlessly.

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* See pp. 184–186, *supra.*

† See pp. 744, 745, *infra* for an explanation of this word.

‡ This subject is considered further on pp. 629, 668, *infra.*

Fourth, what other remedy has biology, genetics and eugenics? The emphatic answer is birth control: first, to stop increase by these foreigners; second, to limit increase of the lower strata of Americans; third, to encourage increase by the more intelligent classes, namely, the intellectuals, the farmers, the well-to-do. Professor Ross in his recent book "Standing Room Only" gives facts and figures showing that birth control in most of the countries of Europe has permeated the working classes as well as the upper classes. In America it has permeated the intelligent classes only, leaving an unbalanced and dire condition. The history of the human race turns largely on the problem of checking natural increase. Nature does it by famine, war, and pestilence.[1] Man in the past has done it by polyandry (a woman with many husbands) still in vogue with many tribes; or infanticide, such as the Spartan practice of exposure of weak infants to the elements by order of the state; or the Italian custom of only the eldest son marrying.[2] America needs none of these for its intelligent population. Birth control and self-restraint are more than sufficient. But some classes exercise no restraint. And the Malthusian law, based on biology and the experience of past ages, will ultimately grip America the same as it has the rest of the world.[3] Leslie Stephen was right when he said that the "difficulty is not that people compete, but that there are too many competitors; not that a man's seat at the table has to be decided by fair trial of his abilities, but that there is not room enough to seat everybody. Malthus brought to the front the great stumbling-block in the way of Utopian optimism. His theory was stated too absolutely, and his view of the remedy was undoubtedly crude. But he hit the real difficulty."[1] Professor Ross gives a picture of what overpopulation means and an appalling picture it is. India, China, Japan, Java are regions of starvation and disease — nature's way of eliminating the unfit.[2] The wheat fields of the United States, Canada, Argentina, India, and Russia, opened during the past century, have increased enormously the food production, while the reaper and railroads have rendered it available, but meantime population induced thereby has increased by leaps and bounds and will continue to increase by leaps and bounds until it overtakes the food supply.[3] Then the trouble will begin. And of all mistaken policies the most foolish has been that of allowing unrestricted immigration. Of course, the first to suffer will be labor. Overpopulation increases the number of laboring men; creates competition to get employment; leads to lower wages and lower standards of living. Wages will go low enough without all this. Limited population on the other hand raises wages. The Black Death or bubonic plague from Asia killed half the population of England in fourteen months beginning in 1348. Labor became so scarce that wages doubled and not even legislation could hold them down. Population was the regulator.[4]

Turning again to the great problem of how to control population and how to repress bad stock and increase good stock, biology, genetics, and eugenics are rapidly changing the ideas of men and the policy of nations. Population and the improvement of the race, physically and mentally, are becoming leading questions.

Already by statute in many of the states propagation by inmates of asylums is repressed.[5] The movement is slow and half hearted because it is opposed by the Catholic Church and by erroneous ideas of personal liberty. But it is gaining ground. It involves the difficult problem of whether multitudinous hospitals to preserve inferior specimens of humanity are for the good of the public.[6] There is an irreconcilable conflict between biology (which says that the feeble minded and hopelessly defective should not survive) and civilization (which revolts at the idea of abandoning to their fate the unfortunate). The sentiments of Christianity, sympathy, humanity, pity, and charity revolt at the idea of not relieving misfortune, helplessness, and suffering. Nature on the other hand remorselessly cuts down those who are not fit. What shall be done about it? Apparently the only compromise is to limit in some way the *production* of those unfortunates. Public sentiment has not yet been educated up to this but it certainly is coming and then this vast philanthropy will decrease. Philanthropy can then turn to developing the healthy and to organizing leadership.

Biologists are demonstrating the need of preserving valuable strains of blood, of race, of particular families, and of classes of society. Eugenics is creating a healthy public sentiment that intelligent Americans owe a duty to this country to have children and plenty of them.[1] But an equally important task is to teach newcomers to limit their numbers in their own interest. Birth control, unfortunately, is chiefly confined to the more intelligent classes. Lack of that control among the lower strata of the great cities is a menace to the nation. It produces overpopulation in those cities and also lowers the average intelligence and character of the nation. These people are irresponsible. They do not realize that as the laboring population increases wages will decrease. The Malthusian law that population tends to increase faster than food means competition in wages to get food at higher prices. The poor you have with you always; if not nature produces them. And then there is greater competition to get work, and wages go down. Herein lies a fact which labor cannot surmount, except by birth control. True it is that men are constantly emerging from the working class into the middle class, and have less children with a better chance in the world, but the mass of city workmen are not affected. Population grows, poverty increases, and the large families of the foreigners prevent even an approach to equality of condition. Professor Buell of Harvard says: "The real solution is the restriction of numbers — the adjustment of the birth to the death rate — a solution which comes about automatically, so it appears, with the progress of education and the increased standard of living." [1] We hope so, but history is against that theory, judging from the fact "that during the industrial revolution in Europe the population of the white race increased five hundred and fifty per cent." [2]

Now what would happen if the city foreign population were stationary? Would not less children be better children and less a burden on the parents? The upper class and middle class already restrict the number of their children — too much so. But is it any object to have the lower classes in the cities breed as they do? Are their children given the advantages they should and would have if there were less of them? Are their parents as well off as they would be if they had fewer children? Malthus said correctly, "there are few states in which there is not a constant effort in the population to increase beyond the means of subsistence. This constant effort as constantly tends to subject the lower classes of society to distress, and to prevent any great permanent melioration of their condition." [3] Dean Inge has written, "Until the world regulates its population, every discovery which might have made life easier and more comfortable will be promptly nullified, and there will be no release from our other two maladies, wars between nations and the bitter struggle for existence within the national groups." [4]

Would not the wages of the next generation be higher if there were fewer to compete? *That is the way to make capital divide.* Science shows the way and the medical profession if liberated can be trusted to apply properly the principles of eugenics. And more important still this would insure the future of the republic. Less children and better children. Is not one carefully reared child worth fifty who like Topsy simply grow? Biology and other sciences teach that increase of population can be controlled, and more important still that the character of the next generation can be improved. When public sentiment, especially that of the laboring class, realizes the full importance of all this a change will come and come quickly. The opposition of capital which wants cheap labor will be overridden. The opposition of the Catholic Church, whatever its real reason may be, will also be overridden. Some parts of New York City are said to be the most densely populated in the world. True the average population per square mile in the whole of this country is much smaller than in Europe, but about half of the land in the United States is not tillable at all, and moreover overpopulation here is in the cities and not in the country. The check needed and badly needed is with the newcomers, who increase in the crowded cities in appalling numbers. As they rise in the social scale they will become more temperate but meantime they are dragging down all standards and mongrelizing all blood.

This point may be the turning point of the Republic. It affects the character of the people and will affect republican institutions. Overpopulation breeds socialism. It already has produced want in the crowded parts of our great cities, the centres of socialism. Professor Ross says, "Undertaking to lift to a higher level of comfort and ease a mankind with no more foresight than to double its numbers in a lifetime, is like undertaking to warm all outdoors. The fruits of any conceivable amount of applied science and technical advance can be absorbed without much betterment of human life if man is so foolish as to use his marvelous good fortune chiefly in feeding endless millions from an inexhaustible font." He also says, "The larger part of the enormous gains from labor-saving machinery, the subdual of new lands and the harnessing of the forces of nature *have gone not to raise the plane of human life but to sustain more lives*. The peoples into whose lap the gods cast these gifts have chosen to triple or even quadruple themselves within a century."[1] Mussolini in Italy in 1927 imposed heavy penalties on all attempts to check overpopulation, but when Italy spawns undesirable people to emigrate, Italy may be criticised. A side light on Mussolini is that he has urged an increase of twenty millions of population in Italy in the next fifty years because, said he, "How can Italy with her meager forty millions count in the face of Germany and Russia?"[1] That means war and not moral principle in Italy.

Strange to say, sanitation and hygiene by decreasing the death rate increase rapidly the population,[2] and charity lends another powerful aid. Sanitation and charity must go on but they should go hand in hand with biology, political economy, and eugenics. Humphrey says: "True race-improvement began with the primal who first conceived the happy notion of cracking the heads of the less wary with a stone hatchet; race-improvement ended when civilization gave the incompetent an equal chance to survive and multiply."[3] A powerful article in *Harpers* in April, 1928,[4] says: "By interfering with natural processes, eliminating natural selection, and undertaking to direct his own evolution man has assumed a fearful responsibility, but at the same time he is offered a glorious opportunity. For the first time in the long history of life on this planet it is given to a single species to take an active, intelligent part in its own evolution. If his artificial selection leads to the propagation of the best and the elimination of the worst it will conduct the race to new standards of perfection; if it reverses this process and breeds from the worst rather than the best it will inevitably lead to deterioration. . . . It is sentimentally a fine thing to save the lives of as many as possible of the weak, deformed, defective, and diseased and to give them all the pleasure possible, including that of procreating their kind. . . . There is much less danger for the future of the race in overpopulation than in our present system of birth-control for the fit and unlimited procreation for the unfit. There is practically no danger of race-suicide, but there is great danger of family-suicide. The human race will go on for millions of years, but it is certain that some of our finest and best families will leave no descendants and have no part in the future of America." The article was anonymous.

The laws of biology call for a hearing. A school to prevent overpopulation is better than one to produce overpopulation. What the upper and middle classes practice they should teach the laboring classes for the good of all. The negroes in the South and the foreigners in our crowded cities have something to learn for their own good more important than schooling. As Professor Ross says, "Nature, to be sure, offers her solution — simple, ruthless, effective. When food can no longer keep up with population, privation and toil will raise the death-rate, as they have raised it a thousand times in the past, until life and death are once more in balance. If posterity recoils from this gloomy prospect, then the voluntary restriction of increase must become general. If it has to come anyhow in two or three generations, what is the point in putting it off until the standard of living of the masses has been reduced to the bare necessities? Why wait until there is little left to salvage? If eventually, why not now?"[1] In other words, if anyone believes it possible to prevent want under the present system the unanswerable reply is that the population of the lower classes bubbles up until want stops the increase. This always has been so and always will be so. Nature has so decreed. The most that can be done is to teach prudence to those classes.

Religion and charitable organizations may help most of all if they will, with science and physicians as guides and safeguards. At present religion shrinks or is hostile. Christianity has always been reluctant to accept science when science undermined beliefs of the plain people as to the physical world. And the laws of biology and eugenics as to increase of population and the character of that increase find few friends in religious circles. It is unfortunate but it is so. And it is not surprising. The Christian religion has been ever since its origin, nearly two thousand years ago, the religion chiefly of the meek and lowly, the poor and oppressed, the religion of sorrow and suffering. It has carried through life countless millions in the belief of a hereafter free from earthly anguish. To that religion life is sacred and it comes with a shock that science says that procreation must be controlled for the good of the race. Religion and its beneficent offspring, the charitable organizations, fear the results. But time and enlightenment will change all this. As Sumner and Keller say, "Anything that gets in the way of science . . . is sure to emerge from the shock badly crippled. That has happened over and over again to theology."[1] And when we consider the vast philanthropic, national, racial, personal, and social benefit from the acceptance of the demonstrations of science, who should hesitate to aid instead of thwarting their application?[2] That powerful advocate of birth control, Professor Ross, states clearly its limitations. He says, "It should be well understood that responsible persons are not urging the removal of all legal obstacles to the dissemination of contraceptive information. To allow conscienceless commercial interests to make such information the common property of adolescents would invite breakdown of sex morals. What is sought is the establishment of clinics where married women who are entitled to it may, for a small fee or no fee, be instructed orally as to means of preventing conception."[3]

Such are the four perils facing us. This question of how to mould our future population is perhaps the most vital one now facing the American people. I have not done it justice but I pass the torch on to others.

Meantime, however, America is still America. As Professor Van Dyke of Princeton says, "It is common to assume that the Spirit of 1776 is an affair of the past; that the native American stock is swallowed up and lost in our mixed population; and that the new United States, beginning, let us say, at the close of the Civil War, is now controlled and guided by forces which have come to it from without. This is not true even physically, much less is it true intellectually and morally."[1] Dr. Laughlin of the Carnegie Institution of Washington, in a statement before a House Committee on March 8, 1924, said, "The American people have advanced far enough in their history, have treasured traditions of law, government, and race for nearly 300 years, so that we are entitled to define an American race and to use the term in law and letters. The American race, then (omitting for the time being the descendants of persons who came to the United States involuntarily), is a race of white people who have fused into a national mosaic composed originally of European stocks (themselves mosaics), in rapidly descending proportion, as follows: Primarily, British, Irish, German, Scandinavian, French, and Dutch; secondarily, American Indian, Jewish, Spanish, Swiss, Italian, Austro-Hungarian, and Russian. These represent the body of the materials from which the American race was principally made, while a few scattered immigrants from all other nations have been incorporated in the making of the American race."

Tens of thousands of the choicest Nordic stock in Europe — English, Scotch, Dutch, and Scandinavian — are waiting and hoping to go to America. They would make the best of citizens, offsetting the Mediterranean and Eastern Europeans. Americans wish them but Congress is blocked by *blocs* of other races vociferously and impudently demanding admittance of their own kin and kind. Free immigration of English, Scotch, Dutch, and the Scandinavian races, while excluding undesirables from Southern, Southeastern, and Russian Europe as well as Asia is the policy which should prevail. The act of 1924, known as the Two Per Cent Act, restricted the annual immigration to about 164,000. It enacted "that the annual quota of any nationality shall be 2 per centum of the number of foreign-born individuals of such nationality resident in continental United States as determined by the United States census of 1890." Under that provision the annual limit of immigration allowed was 164,667.[2] That act also contained a provision for a change to be made

July 1, 1927, namely, "The annual quota of any nationality for the fiscal year beginning July 1, 1927 [changed to 1929], and for each fiscal year thereafter, shall be a number which bears the same ratio to 150,000 as the number of inhabitants in continental United States in 1920 having that national origin . . . bears to the number of inhabitants in continental United States in 1920." This new plan was put into effect March 22, 1929, by Proclamation of the President making the following allotments:

Great Britain and Northern Ireland	65,721	(formerly 34,007)
Germany	25,957	(formerly 51,227)
Irish Free State	17,853	(formerly 28,567)
Poland	6,524	(formerly 5,982)
Netherlands	3,153	(formerly 1,648)
Sweden	3,314	(formerly 9,561)
Norway	2,377	(formerly 6,453)
Denmark	1,181	(formerly 2,789)
Italy	5,802	(formerly 3,845)
Russia	2,784	(formerly 2,248)

Other nationalities are small. The total is 153,714. Under this readjustment Plymouth Rock and Jamestown now count and give their quota to England. On the other hand the Scandinavians are reduced and that is unfortunate. Mexico and South America are not limited and that also is a mistake. Canada was left free and fortunately so, because Canada sends us each year many men of character, intelligence, and force, although the French-Canadians are a very doubtful asset. An effort will be made in Congress to repeal this new classification of immigrants but probably will fail. On the contrary Congress is liable to restrict the Mexicans. That bar should be put up but bars against Nordics should be let down. And why limit immigration from England and Scotland? The Scotch are as choice a stock as there is in Europe and one with characteristics highly needed and valuable to America. Whelpley, writing in 1924, said, "These Scotsmen are nearly all going to the United States, and it is only the limitation placed upon the number who will be admitted, and the difficulty of financing the move that prevent an immediate transfer for a large part of the population of Scotland to the United States. Conditions of life in Scotland have always been hard, and they are harder than ever at the present time. Money is scarce and hard to get, unemployment is rife, and to make a living from the land is a difficult task. The people are hard-working — none more so — intelligent, democratic in their beliefs and customs, and they make as desirable a class of citizens as any country could ask of its immigration. The qualities and characteristics of the Scotsman for which he is famous the world over are largely the product of his native environment. His closeness in money matters is the enforced habit of thrift, due to absolute lack of money. His physical hardiness is the result of an outdoor life in a stern climate. His independent democracy of thought and social habit is the product of a racial and tribal pride nurtured through generations of hard-won and jealously preserved political freedom. He is British of his own free will, but withal a Scotsman first, last, and all the time."[1] Scotch thrift is needed to temper American improvidence, extravagance, and waste.

England watches carefully how many it can spare and where they go. The Imperial Conference of 1911 considered the subject. Johnson summarizes the statements of Burns as follows: "If the rate of increase for the first four months were continued for the whole of 1911, the total emigrants from Great Britain to all countries would amount, he said, to three hundred thousand, of whom, it was estimated, 230,000, or nearly 80 per cent, would go to different parts of the Empire, a generous contribution in quantity and quality from the Mother Country. In 1900, the percentage absorbed by the Empire of the total emigration from the United Kingdom was only 33 per cent. The increase from 33 per cent to 80 per cent was a justification of the excellent and increasing work in the right direction carried on by the now admirably organized Emigrants' Information Office at home. Moreover, it was generally admitted that the quality of the emigrants had also improved. The total estimated emigration of 300,000 for 1911 represented 60 per cent of the natural increase of the population of the United Kingdom as compared with 48 per cent in 1910 and 50 per cent in 1907. . . . With a diminishing birth rate the Mother Country could not safely go beyond 300,000 a year, and if 80 per cent of these went to different parts of the Empire, the Conference would probably agree that this was as much as they could reasonably require. The Dominions were entitled to have the surplus, but they must not diminish the seed plot. They could absorb the overflow, but they must not empty the tank." [1] England, or at least the English government, has often discouraged emigration from England to the United States, and this may account for the savage attacks by second-class English writers on everything American. There is no other reasonable explanation for the scurrility and ferocity of those attacks. Brooks, in his book on "As Others See Us," gives a choice collection of them. Dickens' statements as to American manners were largely true and for that reason they stung, but they were in bad taste and bad judgment, because they widened the breach between the two countries. Moreover, Dickens overlooked the little matter of character and courage. Morison says: "The collapse of the Cairo City and Canal Company, in which Charles Dickens had invested, was responsible for his western tour of 1842 and his subsequent onslaught on the American character." [2] The governing Tories in England were afraid of the democratizing influence of America and again there was danger that emigration if not stopped might draw too many of the most vigorous English. Achille Murat, a son of Napoleon's famous general, was a planter in Florida and in 1827 he wrote, "The English minister, wishing to stop emigration to the United States, descended so far as to induce mercenary writers to travel, and promulgate, through the press, false statements against our people and Government."[1] However, at the present day, to the extent that Great Britain can spare English and Scotch, the United States needs them and needs them badly — more than they are needed by British dependencies, because the latter have not taken in a horde of alien races to drag down the commonwealth.

No one questions the right of America to exclude any immigration it sees fit. The last immigration act excluded the Japanese and Chinese. They have no *bloc* in the United States to threaten what they will do at the next election. It was a discrimination and a proper one, but Congress did not provide boldly in that law that the English, Scotch, Hollanders, and Scandinavians could come freely and that all others be excluded. Every thinking man knows that that ought to have been done, but great is the power of the *bloc*. Fox says, "It is interesting to find, writes Miss Balch, that the Poles voted for Grant in 1872, — the first election in which they were notably interested, — because he recognized the French Republic during the Prussian War, while his opponent, Greeley, was supposed to favor Austria in Italy and Germany in Alsace-Lorraine. On the other hand, it is claimed that in Chicago Poles are 'normally Democrats.' In the election of 1920 many supported the Democratic candidate out of gratitude to President Wilson for his stand regarding Poland."[2] Dr. Laughlin of the Carnegie Institution of Washington in his statement before a House Committee March 8, 1924, said: "The matter of social and cultural assimilation of immigrants has just come to an acute state in the United States. The formation of isolated alien centers, which maintain their alien languages and cultures, is a dangerous thing for the American people, in which the greatest tie of nationality is a common speech and free exchange in trade, travel, and cultural contact. If alien interests from the outside interfere in American domestic politics, or if unassimilated, although naturalized immigrants organize political *blocs* on the basis of their former alienhood, or specific alien race and tongue, then the United States as a whole will find it increasingly necessary to follow the policy of New York State, and to define the qualifications necessary to vote, with particular reference to American standards of character and intelligence." Warne says and says correctly, "A great deal of cant and hypocrisy is being preached at the present day as to the motives that lie back of the attitude of the American Government and American people towards immigration of the past. 'A political asylum,' 'a haven of refuge,' 'a welcome to the oppressed,' 'a home for the persecuted' — these and like phrases are all fine, high-sounding expressions, and we believe in them as did our forefathers. But the fact is, they express a secondary and not the primary cause underlying the action of our people and Government towards the alien. This primary basis has always been, from the earliest Alien and Sedition laws down to this very moment, what might be called selfish altruism. We have welcomed the immigrant, not because he was an alien, not because he was escaping religious or political persecution, not because he was downtrodden and oppressed, but primarily and essentially because we believed his coming here was for our own good as a people and as a nation. We have welcomed him only so long as, and no longer than, we believed this."[1] True, and advocates of further immigration from eastern and southern Europe are in Carlyle's language "gone or with immense velocity going." America has gone through three phases of immigration; (1) a home for all; (2) economic, to get more and cheaper labor; (3) biologic, to preserve America for Americans.

And then there are the Mexicans. These are the people America is admitting without limit. They drive out American labor and lower the standard of living. All to get cheap labor to increase the riches of a nation that is too rich already. Choice English, Scottish, Dutch, and Scandinavian stock is excluded, but these hybrid Mexicans swarm over the border as they please. The utter selfishness of production was never more graphically shown. As to Asia Leslie says: "Asia has weapons more terrible than the sword, and smites the Aryan with disease and sensuality." [1]

However, in all of the states and in most of the great cities the American stock is master of the situation. That stock is fundamentally English in its origin and Lecky says of the English colonies in North America that they were "a people, who, in energy, moral excellence, and practical wisdom, were probably unsurpassed upon the earth" and that "no nation ever started on its career with a larger proportion of strong character, or a higher level of moral conviction, than the English colonies in America." [2] And there is a simple way of restoring the balance. If America would preserve the supremacy of the Nordic stock, let it throw wide open the gates of immigration to the English, Scotch, Dutch, and Scandinavians. Professor Holmes well says: "The proper regulation of immigration would probably compel us to abandon all pretense to impartiality and frankly state that there are several peoples that we do not want. Should we strongly suspect that the immigrants from any country are deleterious to our welfare, either socially or racially, we should take measures to debar them and revise whatever agreements on immigration we have made with the countries concerned. Whether these countries like it or not is a very secondary consideration compared with the preservation of the worth of our own future population." [3] Dean Inge says of the Nordic race: "Its well-known characteristics are tall stature, light-coloured hair and eyes, and a roving disposition. Being a good fighter, though pugnacious rather than warlike, the Nordic man has been a great conqueror, and has formed the aristocracy of many countries inhabited mainly by the other European races. Being a heavy eater and drinker, he is what the Americans call a high standard man, and cannot or will not compete by the side of other races in manual labour. This habit, rather than his inability to live in a hot climate, has led to his disappearance in several countries where he conquered but did not expel the inhabitants. His high standard of living and pride of race are gradually extinguishing him in North America; and in England, while the Nordic man flourishes in the country districts and as a seafarer, he is apparently at a disadvantage under the conditions of industrial labour in the towns, where a smaller and darker type of men is already prevalent, and is becoming more so in each generation. The industrial revolution has greatly diminished the preponderance of pure Nordic blood in this country. Our frequent wars, in which the descendants of the Anglo-Saxons and Danes are usually the first to volunteer and the first to be killed, have weakened them still further."[1]

Look at Massachusetts. In 1920 that State had 2,170,792 people foreign or of foreign parentage and only 1,230,773 native born. The foreign born were chiefly Irish, Canadian, Italian, Russian, and Polacks.* In the Presidential election of 1928 Massachusetts and Rhode Island, dominated by immigrants, were the only allies of six extreme southern States dominated by fear of the negro. In New York State the Puritan north outvoted the polyglot city.

No wonder that the intellectuals of Massachusetts favor all sorts of governmental nostrums. And yet we must admit there never was a time when Harvard College produced so good political literature as today. Harvard is radical; Yale is conservative; in fact, Massachusetts has always been radical in a progressive way. And Massachusetts still produces great men, conscientious men, men of intellectual leadership, but can she leaven the vast lump which her manufacturers have brought within her borders? If not, her political and intellectual greatness is in peril. Not much can be expected from these newcomers, but the old stock still rules. When the Boston police went on strike the real Massachusetts taught them a lesson that will not soon be forgotten.

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* See p. 494, *supra*.

New York City is hopeless. If there is a profit, New York "stands undaunted though the heavens fall." Over half of the men in New York City are foreign. And yet as recently as 1880 that city, according to Bryce, was "four-fifths English, the rest North European or Irish."[1] The details are, according to the census, that of a population of 1,206,299 in 1880 in New York City, 478,670 were foreign born and of these 198,595 were Irish; 163,482 Germans; 39,340 English, Scotch, and Welsh; 12,223 Italians; 9910 French; 9020 Polacks; 8093 Bohemians, and the rest scattering. Of course, in addition there were many children of foreign-born parents. The Jews, as usual in the census, are not specified separately.

CHAPTER XXXIV

CENTRAL AND SOUTH AMERICA *

All of them, except Argentina, need a policeman. We cannot tell Europe to keep out and yet refuse to be policemen ourselves. For a hundred years most of these so-called republics have brought reproach on democratic institutions. One despot after another robs and murders the people and scandalizes the world. A republic is where the people rule. In Mexico, Central America, and, with a few exceptions in South America, the people do not, and never have ruled. They are incapable of it. A heavy but just hand will be their only salvation. Bolivar, the patriot, liberated Latin America from Spain over a hundred years ago, but could not organize good government. Shepherd says that Bolivar toward the close of his career declared, "The majority are *mestizos*, mulattoes, Indians, and negroes. An ignorant people is a blunt instrument for its own destruction. To it liberty means license, patriotism means disloyalty, and justice means vengeance. 'Independence,' he exclaimed, 'is the only good we have achieved, at the cost of everything else.'"[1] He died a disillusionized, broken-hearted man and almost his last words were, "Those who have served the revolution have ploughed the sea. The only thing to be done is to emigrate. These countries will inevitably fall into the hands of an uncurbed multitude, to pass later into those of tyrants of all colours and all races."[2] A mongrel race of mixed negro and Indian blood never has and never will amount to anything.[3] Professor Burgess, speaking of sixteen of the twenty governments in Central and South America and the West Indies, says, "They never have been satisfied, and are not now satisfied with the system imposed upon them by the Europeans. They do not seem to be able to rise to the enjoyment of its advantages. They feel oppressed by its opportunities, of which they can make little use. The very liberties guaranteed to them by these constitutions appear only to give the intelligent, not to say crafty, the means for overreaching them. A benevolent despotism would best fit their situation and stage of development. A democratic Republic with such populations is a wicked farce."[1] Let those who are skeptical as to these views read Reuter on "The Mulatto," where he states the numbers and status of the negroes, Indians, hybrids, and whites in Mexico, the West Indies, and Central and South America, exclusive of Argentina and Uruguay. Nothing can be expected in the way of good government from such a constituency. And those countries are not so immune as they imagine. As the population of the United States grows and manufacturing increases, foreign outlets must and will be had. Central and South America will be tempting markets, just as Cuba and the Philippines are today. Excessive manufacturing will probably be the bane of the 20th century. It was the undoing of Germany and it causes states to extend markets by hook, crook, or force. It is insatiable in that there is no limit to it. The National City Bank's monthly circular for March, 1928, says: "Forced by competition and high wages, industry has gone far in the adoption of labor saving devices and these have greatly increased the output per man. Some idea of what has been accomplished in this direction may be gleaned from the following table based on Department of Labor figures and showing the percentage increase in labor productivity in ten important industries over the period from 1914 to 1925:

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* See p. 489, *supra*.

Rubber tires	211%	Flour Milling	40%
Automobiles	172%	Paper and pulp	34%
Petroleum	83%	Sugar refining	28%
Cement	61%	Meat packing	27%
Iron and Steel	59%	Leather tanning	26%"[2]

Manufacturing grows on what it feeds and always tends to overproduction and that leads to all kinds of trouble. Food is limited by the area of land but manufacturing is limited only by markets and pushes its way into foreign lands ruthlessly and not always fairly. It causes an abnormal growth of population at home and diverts attention from the problems of good government and social welfare. Manufacturing produces commerce and a certain advancement in civilization but its certainty to overproduce brings many kinds of national and international complications. It is a trouble maker; something of a Frankenstein; and yet American laws by a high protective tariff give it an unwholesome growth at the expense of the agricultural and other non-manufacturing classes. Curle, an English writer, says with great force: "Looking a few years ahead, then, we must picture Western Europe thrown back upon itself for food. It will have any quantity of goods to exchange; Germany alone, in order to pay indemnities, and rehabilitate itself, will be able to supply goods to all the outside world. But the outside world will not then need most of these things, neither will it have any food to spare. Japan, China, and India, if there is not collapse in Asia, will be manufacturing on a gigantic scale, by very cheap labour; the United States will also be feverishly supplying every market; while even new countries like Canada and Australia will be largely self-supporting. Europe will find it is organised to sell goods which fewer and fewer want, and to need more and more food which nobody is able to supply."[1] Jefferson went too far in wishing that this country remain strictly agricultural,* but the laws now go too far in robbing agriculture to enrich the manufacturing cities. Overpopulation and overmanufacturing are twin evils, productive of each other and dangerous to government of any kind. As stated above, the need of markets drove Germany to aggression, to its sorrow. Moreover, American history shows that we are a territory-grabbing people by

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* See p. 648, *infra.*

nature, true to our English origin. There is Louisiana, the Pacific Coast, Florida, Texas, Alaska, Panama, Porto Rico, Hawaii, Philippines, and practically Cuba. This land-grabbing propensity of the Anglo-Saxon race has had strange results. It caused Napoleon to sell Louisiana to the United States to keep it away from England; it caused Russia to sell Alaska for fear England would seize it in case of war; it caused England to favor the United States taking the Philippines to prevent Germany getting them. And the United States has never been backward in taking everything that came its way. What next? Trade follows the flag and then clamors for protection. Central and South America will be tempting. Just as Lucullus (who like Alexander made conquest after conquest until their soldiers revolted, Lucullus' work being finished by Pompey) expanded the Roman Republic to its ruin, so America may reach out and then be unable to preserve its own republican institutions. As Lord Acton, the great historian, wrote: "This law of the modern world, that power tends to expand indefinitely, and will transcend all barriers, abroad and at home, until met by superior forces, produces the rhythmic movement of History."[1] The foreign danger to America is American expansion and not any invasion of America itself. When the imperative demands of the civilized world for food, raw materials, and trade become acute, Mexicans and the rest of these hopeless races will be subjected to stable government, productivity, and an industrial life. Vast tracts of the fairest portions of the earth, rich in crops and metals, will not and should not be left indefinitely in the hands of worthless peoples, who will never utilize them. It is another case of the American Indians. Call it ruthless if you will, but it is the march of civilization. Buell of Harvard is right when he says, "Some self-styled moralists assert that a native population is warranted, in the name of 'sovereignty,' in locking up from the rest of the world resources placed in its possession by an accident of nature, not because it needs these resources for its own use, but merely because it is ignorant of or indifferent to their value. It is a queer sort of morality which would thus deify a tribe of cannibals who may have themselves conquered these resources from their 'original' owners. Should such a standard be ethically sound, it could not possibly be respected by a practical world, parts of which are already confronted by fear of starvation."[1] From the Rio Grande to Argentina and Chile the vast proportion of blood is still Indian. If the Anglo-Saxon was justified in driving out the North American Indian is he not equally justified in insisting on civilized government in these semi-tropical countries which are capable of so much? Bryce says that Plato and Aristotle would have described the present Central and South American republics "as forms of tyranny, *i.e.* illegal despotisms resting on military force."[2] Professor Usher of Washington University summarizes correctly the situation when he says, "The population of Mexico is in the neighborhood of fourteen millions; the legal electorate was, some years ago, about eighty thousand, and was intended to comprise every individual intelligent enough to be able to vote. Under such circumstances democratic rule by the numerical majority becomes an impossibility. However desirable, it cannot be achieved for some generations. The United States wisely suppressed the recent revolution in Hayti, and had previously interfered in the affairs of San Domingo, of Cuba, and of Porto Rico. The literal truth is that these people do not wish to carry on that type of government which we call democratic, or to maintain that sort of order which we consider indispensable, or to educate themselves or their children in our methods of economic and social life. If left to themselves, they will be a century hence approximately what they are now. Individuals here and there will separate themselves from the mass, migrate to the United States or to Europe, and display perhaps distinguished ability. They will not do it upon that soil or in that environment. It is the latter we must change. Settled long before the United

States, these countries have developed so slowly as scarcely to have progressed at all, and present a contrast to the enlightened and progressive communities in South America, which is indeed striking. That sort of tutelage they do require, which the South Americans reject with scorn."[1] Muret, a French writer, says, "The Mexicans refuse to be educated: 80 per cent of the population is illiterate, and of the remaining 20 per cent most individuals can barely read and write. There is no middle class on which to build a stable government or from which to draw competent administrators. The land is in the hands of a hated minority. Indians and half-breeds live just as lived their ancestors, and they still speak the old Indian dialects, profess the old ideas, and apply Indian principles little suited to the modern needs of a civilized people. Their rude patriotism knows nothing of sacrifice for the public welfare; it is made up of hatred and envy of the foreigner, and is therefore of a very low order. Spanish rule imposed a hard absolutism on the Mexicans and this régime, which lasted three hundred years and certainly did not prepare the Mexicans for self-government. Their democracy is only a riotous and bloody demagogism; they confound authority and tyranny, political liberty and anarchy. In the latest period of their history they have tried to make for themselves a constitution imitated from that of the United States. The result was pitiful, because the conditions necessary for a democracy are entirely lacking in Mexico. Corruption prevails in all administrative branches; the pursuit of politics is not only a passion, but a trade, and is expected to enrich rapidly those who practise it. In this trade, which has its risks, revolution and assassination wait upon the happy man who has reached the presidency, which is always a dictatorship. It may be benevolent as it was under Porfirio Diaz, who, with his iron hand, brought about some progress; but since his withdrawal Mexico has fallen even lower into chronic disorder. Presidents succeed one another in an atmosphere of murder and civil war, bringing into power a greedy and dishonest crowd whose exactions have exasperated everyone. Political struggles in Mexico are not even between parties, which would give them a certain dignity; they merely place in opposition two groups whose object is to plunder the public purse. Each party takes the name of the dictator who will gratify their desires: Juaristas, Porfiristas, Caranzistas, Callistas, Floristas." [1] Creel writes, "From the dawn of time the population of Mexico has been divided into two distinct groups — a powerful minority monopolizing wealth, culture and the pleasant places in the sun, and an unorganized majority sinking deeper into want, ignorance and misery." [2]

There seem to be four possibilities for Mexico.

(1) Continuation of the rule of the Spaniards. For four hundred years, with few intermissions, they have misruled. Essentially they are all alike — plunderers. The common people are no better off than they were two hundred years ago. That rule has got to go.

(2) Government by the plain people. That is impossible. Of the 14,294,830 people in Mexico in 1927, according to the Mexican government's own report, only 1,404,718 were pure white; 4,179,449 pure Indian; 8,504,561 of mixed breeds, "mestizos"; and 246,052 foreigners. Generations would not qualify such a people to govern themselves.[3]

(3) The Diaz method of force and graft; exploitation by foreign capitalists; no one to help the toiling millions. In the United States capital is forced by Congress and the legislatures and courts and public sentiment to respect and improve the plain people. Mexico under Diaz had nothing of the sort.

(4) A protectorate by the United States, similar to that in Cuba or Porto Rico or the Philippines. That probably is inevitable. Mexico will never have good government and progress until she gets it.

Maximilian was shot in June, 1867, and the so-called republic which began in 1824 was reëstablished after his three years' reign.

In March, 1868, Lord Acton, the eminent English historian, in a lecture said of Mexico: "A society so constituted could not make a nation. There was no middle class, no impulse to industry, no common civilisation, no public spirit, no sense of patriotism. The Indians were not suffered to acquire wealth, or knowledge, and every class was kept in ignorance and in rigorous exclusion; when therefore the Mexicans made themselves independent, the difficulty was to throw off not the bondage, but the nonage in which they had been held, and to overcome the mental incapacity, the want of enterprise, the want of combination among themselves, and of the enlightenment which comes from intercourse with other nations. . . . The requisite conditions of a Republican government did not exist. There was the greatest social inequality that can be conceived between the wealthy landowners and the Indian masses, who possessed neither the mental independence conferred by education nor the material independence which belongs to property. There was Democracy in the State, while society was intensely aristocratic." In that lecture Lord Acton expressed the hope that the United States would not undertake the government of Mexico. He said: "Nothing henceforth remains that can permanently arrest the United States in the annexation of Spanish America. If they have prudence to avoid European war, and wisdom to compose their own dissensions, they may grasp the most glorious inheritance the earth affords. The conquest of Spanish America would be easy and certain, but beset with dangers. A confederacy loses its true character when it rules over dependencies; and a Democracy lives a threatened life that admits millions of a strange and inferior race which it can neither assimilate nor absorb. It is more likely that the Americans will bind their neighbours by treaties, which will throw open the whole continent to their own influence and enterprise, without destroying their separate existence."[1] There is great historical force in this but sixty years have now gone by since that advice was given. The situation is as bad as ever, particularly in Mexico, and America is still faced with a dilemma. The Monroe doctrine has a corollary that responsibility is linked with power; that if we won't allow Europe to make these countries behave we must assume that task ourselves. It is a problem of peace, good government, and of right as against wrong. It cannot be shirked altogether.

These governing Mexicans are of mixed Spanish blood, like the Filipinos. During the Wilson administration the Filipinos, a vociferous but scheming minority, were given control of the government. Their graft and political methods demoralized the islands and it required all the genius and firmness of General Wood to restore order and put the Filipino upstarts back to where they belong. The American people might as well understand that if they withdraw from those islands there will be anarchy inside and conquest from outside. Like Mexico, the country is incapable of self-government. I agree with Roosevelt when he says, "We will not permanently be permitted to render ourselves impotent in the face of possible aggression and at the same time try to forbid other nations from righting wrongs which we are too weak, too timid, or too shortsighted ourselves to right. In the end foreign nations will assuredly take issue with the Wilson-Bryan theory, which is that America can adopt as her permanent policy the shirking of national duty by this country, combined with a protest against any other country doing the duty which we have shirked. Either we shall have to abandon the Monroe Doctrine and let other nations restore order in Mexico, and then deprive us of any right to speak in behalf of any people of the Western Hemisphere, or else we must in good faith ourselves undertake the task and bring peace, and order, and prosperity to Mexico, as by our wise intervention it was brought to Cuba." [1]

Roosevelt was right as to the Monroe Doctrine. The status has changed. That doctrine originated in America's fear that Europe (except England) intended to aid Spain to recover its lost American possessions and restore Spanish misgovernment.

America also feared that other European governments would seize these weak countries and establish monarchical colonies, and that this would be a menace to the great Republic. America believed these Central and South American countries were capable of self-government, the same as the United States. Hence the Monroe Doctrine. Great changes have now taken place. Europe itself has become practically a land of Republics. Central and South America have demonstrated that they are incapable of self-government. It has been demonstrated that all of them except Argentina needs a protectorate. Continental Europe cannot be trusted to give it. There would be exploitation for the benefit of Europe. The Monroe Doctrine is still necessary to avoid all this, and to that extent has to be applied to England also, to avoid discrimination. But if America will not allow Europe to give good government to these Southern countries America must do so itself.

CHAPTER XXXV

WORSHIP OF THE DOLLAR

This is Europe's taunt — Europe living in a glass house — Europe which is becoming sterile except in scientific, materialistic, and diplomatic achievements. America did worship the dollar because a great continent was being developed and capital was scarce and had to be borrowed from Europe. Dollars were needed and needed badly. Men were plentiful at home and from abroad, but cash was scarce. But now that money is plentiful and cheap, the dollar is not worshiped. Americans are spenders, not misers. They spend for luxuries and to build up industries. They who accumulate fortunes may never outgrow habits of saving, but their children do the spending; they distribute their fortunes often by speculation — nature's mode of transferring wealth to competent hands. There being no titles to hand down and support, distribution of fortunes is easy. Rarely does an American family continue prominent for three generations. Nor have the Americans any ambition to "found" a family in the European sense. "In a country like England," says Professor Taussig of Harvard, "the founding of a 'family' is a common aim; the transmission to children of a sum sufficient to enable them to take their place among the leisure-class idlers, association or matrimonial alliance with the gentry and aristocracy, eventually, if there be money enough and some address, a knighthood or even a peerage. In all modern communities the worship of 'society,' perhaps the most ubiquitous phase of the deep-rooted and universal love of distinction, contributes powerfully to accumulation."[1] All this helps to explain why Americans are so liberal in giving away their wealth. They have no illusions as to the future. The millionaire is no longer noted.

If he gives away nothing, there is silent disapproval. As a matter of fact he gives by the million. He takes pleasure in getting, and equal pleasure in giving. Institutions of all kinds receive magnificent gifts that amaze Europe. The love of money is not the hallmark of America. President Hadley well says, "The pursuit of wealth at the present day is not due to avarice, except in very slight degree. It is due to motives of ambition; partly to a desire to win visible evidence of success in a great game, and partly to a wish to secure the power of controlling large industrial forces. And with the best men it is the large motive which really counts."[1] Prior to the Civil War, Europe considered America a nation of shopkeepers without valor. That idea was dispelled by that war. Not since Cæsar's time has there been an army equal to the 60,000 men with which Sherman made his march to the sea.[2] As Chief Justice Taft said, "It took three solid years of the hardest kind of practical training in actual warfare to make those citizen soldiers what they were — the best-trained army that ever trod in shoe leather."[3] The battle of the *Monitor* and the *Merrimac* rendered obsolete every navy in the world.[4] And in the World War the valor of the American troops at Château-Thierry, Belleau Wood, St. Mihiel Angle, Argonne Forest, and the cutting of the German line of communication at Sedan warned the world that America is able to defend itself. Senator Pepper of Pennsylvania, in speaking of the American soldiers at Belleau Wood, says, "Each man had behind him the entire past of his free life in America, and, back of that, the entire past of the nation. Washington was there, and Mad Anthony Wayne, and Old Put, and John Paul Jones. Lawrence and Perry were there, and Andrew Jackson, with Daniel Boone, and Davy Crockett. Farragut and Sherman were there, and Sheridan and Meade, and Grant, and Lincoln. With such comrades and leaders our boys could not be fearful and faint-hearted. Encompassed by so great a cloud of witnesses they could not but perform prodigies of valor. And the things which they did in the neighborhood of Belleau have now passed into history, to become in their turn the inspiration of tomorrow. And before we elders pass away and sink into unremembered graves it is our high privilege to lay our wreaths on graves that can never be forgotten and to make Belleau a partaker of the immortality of our sons."[1] That war showed that American manhood was higher, greater, and infinitely superior to the dollar. And then when America demanded no money or territory but on the contrary contributed hundreds of millions of dollars in food and supplies for the helpless, this country attained a moral influence never surpassed in the history of the world. Every chancellery in Europe and Asia now seeks American approval and support. That approval has become a certificate of character. The war was won at a frightful cost in men and money, but the development of American character and the creation of its moral power was worth it all. It has taught the world that there is something besides money, trade, conquest, and military power. Never before has a nation found itself so suddenly the universal and trusted arbiter. Even England sends up the Macedonian cry. Lord Shaw, of the highest English court, in an address before the American Bar Association at San Francisco in August, 1922, urged that the Americans and English "be comrades all, comrades forever" and "that the ancient grudge should go and go forever, and that the ancient comradeship should be renewed and repledged, renewed and repledged forever." Lord Shaw was right.

CHAPTER XXXVI

OFFICE HOLDING

MODERN American books are full of laments, reproaches, and dire predictions because Americans of strength do not accept public office. In the early days of the republic, public office was the goal for ambitious natures. But the times have changed. Office holding is not the only way of rendering public service. Congressmen now are largely clerks to register the public will, and governors are less than senators. The presidency and the senate are still prizes, but their glory is departing as their representative character is increasing. Politics is a poor game, socially, intellectually, and financially. As to the glory it is fading; as to public duty this is not confined to holding office; as to money no man can make money honestly in politics. John Stuart Mill summarizes the views expressed by that brilliant French writer, De Tocqueville, as follows: "He was forcibly struck with the general want of merit in the members of the American legislatures and other public functionaries. He accounts for this, not solely by the people's incapacity to discriminate merit, but partly also by their indifference to it. He thinks there is little preference for men of superior intellect; little desire to obtain their services for the public; occasionally even a jealousy of them, especially if they be also rich. They, on their part, have still less inclination to seek any such employment. Public offices are little lucrative, confer little power, and offer no guarantee of permanency. Almost any other career holds out better pecuniary prospects to a man of ability and enterprise; nor will instructed men stoop to those mean arts, and those compromises of their private opinions, to which their less distinguished competitors willingly resort. The depositaries of power, after being chosen with little regard to merit, are, partly perhaps for that very reason, frequently changed. The rapid return of elections, and even a taste for variety, M. de Tocqueville thinks, on the part of electors (a taste not unnatural wherever little regard is paid to qualifications), produces a rapid succession of new men in the legislature and in all public posts. Hence, on the one hand, great instability in the laws, — every new-comer desiring to do something in the short time he has before him; while, on the other hand, there is no political *carriére;* statesmanship is not a profession. There is no body of persons educated for public business, pursuing it as their occupation, and who transmit from one to another the results of their experience. There are no traditions, no science or art of public affairs. A functionary knows little, and cares less, about the principles on which his predecessor has acted; and his successor thinks as little about his. Public transactions are therefore conducted with a reasonable share, indeed, of the common sense and common information which are general in a democratic community, but with little benefit from specific study and experience; without consistent system, long-sighted views, or persevering pursuit of distant objects." Mill, however, very properly says, "This is likely enough to be a true picture of the American Government, but can scarcely be said to be peculiar to it. There are now few governments remaining, whether representative or absolute, of which something of the same sort might not be said. . . . America needs very little government. She has no wars; no neighbors; no complicated international relations; no old society with its thousand abuses to reform; no half-fed and untaught millions in want of food and guidance. Society in America requires little but to be let alone. The current affairs which her government has to transact can seldom demand much more than average capacity; and it may be in the Americans a wise economy, not to pay the price of great talents when common ones will serve their purpose."[1]

A man may rise to prominence and power more quickly in politics than in any other pursuit, because many acclaim him, but when the many withdraw their support he quickly drops to his level and finds it difficult to start anew. No one is more sour and discontented than a turned out politician. No one is forgotten more cheerfully and quickly than a dead political leader. As Demolins, a brilliant French writer, says, "The Saxon does not care to exercise political power."[1] The American people are suspicious of their politicians and watch them closely; turn them out periodically, only to find the new the same as the old. Office holding means little in American life. Our institutions do not depend on great men holding public office. And there are compensating advantages. Great men are ambitious and restless and wish to make a record. They are fond of innovation. They would expand the powers of government. They are apt to be "sociologists." Changes come better from the slow growth of public opinion and experiment. Great men help to mold that public opinion, and much more safely than if they held public office. Except at crises mediocre men who dare not lead are better. They wait and follow the deliberate judgment of the people. Men like Roosevelt and Wilson lose their balance. Siegfried, a French writer of keen perceptions, says, "The country accepts the existence of a politician class who are pursuing the interests of their own parties and it pays them a heavy commission in order to be able to use their intervention and their equipment; but it does not let them handle anything vital, for in the end they are the slaves of public opinion. The real strength of the country therefore does not lie in the political machine, but in the great interests, the convictions, and the passions that make use of the machine. Were it not that the public allows itself to be led away by highly organized propaganda, it would indeed be a perfect type of democracy."[2]

There are hundreds of thousands of men in this country, honest and able to fill public office, but they are engaged in industry and not fond of abuse. Hence we have bad government — federal, state, and local — partly incompetent, partly dishonest. And the people know it, and grope for a remedy. Some experiments have proven futile, such as the initiative, the referendum, the recall, the direct primary. Others are more successful, not in drafting into service the ablest men, but in relieving the public of the burden of deciding an infinite number of questions requiring expert knowledge. They are as follows:

(1) Commissions to regulate public service corporations, such as railroads, street railways, telephone, electric light, telegraph, express and waterworks companies. The rapid growth of these companies presented complicated and multitudinous questions. Abuses ran rampant and were unchecked. The slow and cumbersome machinery of the legislative, executive, and judicial branches of government broke down. The public had no one to whom to complain with any hope of speedy and inexpensive justice. Hence the commissions, national and state. They work fairly well, at least in relieving democracy from a task which it is incompetent to perform through government.[1]

(2) A commission form of city government, or better still a city manager elected and removable by a city council, the commission plan having been adopted by over 400 cities between 1910 and 1924, and the manager plan by about 200 cities.[2] This has its basis in the fact, gradually recognized, that a city government is a business proposition to furnish sanitation, clean streets, schools, police, and a multitude of local conveniences and arrangements. There is nothing essentially political about it. And yet city government has been made the football of politics and politicians. It has been systematically robbed and plundered, incompetently mismanaged, and made a mecca of office seekers. It is the greatest reproach which Europe puts upon us. It cannot be defended and the only answer is that the heart of the people is sound and that a remedy will be found. James Bryce said that our city governments are the "one conspicuous failure of the United

States."[1] A most encouraging sign of the determination of the people to change all this is found in the work of The National Institute of Public Administration, founded in New York and designed to furnish trained experts in city government and already notable for its widespread achievements. At present the manager form of government, by which a competent and honest man is hired to administer city affairs, is the best remedy in sight. It has worked well in some places and in others not. It depends on the inclination of the city and the character of the man employed.[2]

(3) Concentration of power in the state governments. President Lowell of Harvard says, "We are governing a vast and intricate community by methods suited to a small and simple one. The people must realize that they cannot administer so directly as in the past. They must find out the limits of what they can do, and learn to commit other matters to persons or bodies competent to take charge of them, trustworthy, and so far as possible free from political motives. They must learn now to do this without losing control over the general policy to be pursued or abandoning an effective supervision of the administration."[3] Professor Sumner of Yale expressed the same idea when he wrote, "It is no wonder that we have not the political activity of the first half of this century. . . . We are more inclined to do here what we should do in any other affair — seek for competently trained hands into which to commit the charge. . . . What he [the ordinary voter] wants is good government, honorable and efficient administration, business-like permanence, and exactitude. He recognizes in the short terms and continual elections, not an opportunity for him to control the government, but an opportunity for professional hangers-on of parties to make a living, and a continually recurring opportunity for schemers of various grades to enter and carry out their plans when people are too busy to watch them. The opinion seems to be gaining ground that, for fear of power, we have eliminated both efficiency

and responsibility; that if power is united with responsibility, it will be timid and reluctant enough; and that the voter needs only reserve the right of supervision and interference from time to time." [1] And the views of Freeman, an English writer, are interesting if not particularly flattering or edifying. He says: "The professional politician whom modern democracy has brought into existence differs entirely from other professional men. He is totally unqualified. He has undergone no course of training, he has passed no tests; he produces no evidence that he possesses any knowledge whatever of the complex social phenomena which he proposes to direct. A soldier, a sailor, a journalist or (more often) a lawyer, he steps at once, without any preliminary preparation, into the position of a full-blown legislator. Such knowledge as the 'old parliamentary hand' has acquired has no relation to social phenomena. It is purely egoistic. How to get elected, how to manage a constituency, how to get into office, how to keep in office; these are the items of knowledge which go to the making of a professional politician. For the discharge of his ostensible functions — the direction of the intricate life of a community — he depends on his natural wits, leaving the cultivation of social science to the 'armchair philosopher.'" [2] New York State voted down a few years ago a proposed constitution which reduced the number of elective officers, gave to the Governor greater appointive power and put on him the responsibility for good government, abolished many independent departments, increased city and county home rule, and relieved the voters from multiplicity of details. The defeat of that proposed constitution was chiefly due to other causes. The best features of it have now been adopted by amendment of the present constitution and by laws enacted in 1926. Illinois had already in 1917 reduced 125 officers, boards and commissions to 9, each with a director appointed by the governor and approved by the senate, leaving only 7 executive officers to be elected by the people. Massachusetts in 1918 consolidated 80 units into 20.[3]

All of these facts show a democracy wrestling with the problems of government. And whoso has confidence in America has confidence that new remedies will be devised to meet present and future governmental delinquencies. We have forty-eight state governments and one federal, experimenting all the time on the way to reach good government. The experiments are costly and many of them are failures, but they are worth the price.

C

THE SAFEGUARDS OF THE REPUBLIC

There are five: the character of the whole people; the type called the "Westerner"; education; the farmer; the leaders of the people.

CHAPTER XXXVII

THE CHARACTER OF THE PEOPLE

The elements and different nationalities making up the American people have already been considered. The present American character remains to be considered. First it is well to consider what the American people are not. They have produced little in painting, sculpture, composition of music, and original architecture. They produced the colonial style of architecture, but the type was temporary. They have produced the skyscraper with steel frame, and that type certainly has a distant beauty, but it is the beauty of the cathedral. In sculpture America can claim little; in painting less; in composition of music practically nothing. The artistic temperament seems to dwell with the Latin races. The sober, serious, practical spirit of America, due partly to its puritan origin, partly to the hard work of subduing a continent, does not lead to the arts.[1] Some nations are artistic by nature, like the Greeks and French. America is not.[2]

In literature Emerson has redeemed America from the European taunt that no one reads an American book. Emerson is becoming recognized as one of the foremost literary men of the nineteenth century. And he was fearless. Of him it may be said,

> "I batter the wheel of heaven
> When it rolls not rightly by."[3]

Emerson's writings covered a wide range and they are widely read in Europe as well as America. His "English Traits" are in the highest type of literary art — forceful, simple, direct, Shakespearian — Bible English. It is a joy to read it. It is word-painting, chiseled speech, keen analysis and vivid description, some parts better than others. Critics classify and pigeon-hole Emerson but the world refuses to allow him to be pigeon-holed. He had a mission and a message. His burning words on individuality and the conduct of life will not down. Bret Harte also will live. He is the greatest of short story tellers. His fascinating style perpetuated the vanishing Spanish civilization in California and the already vanished rush for gold in 1849. Aside from Emerson, however, America has not produced a first-class literary genius. In the course of time America may turn to literature and if it does it will excel, not in taking European subjects for the drama or the short story (America's greatest contribution to the world's literature, according to Professor Schlesinger of Harvard),[1] or humor, or satire, or romance, but in taking American subjects. The adventures of Clark, Boone, and other frontiersmen furnish materials for epics; the struggles of the republic constitute a great drama. Moses Coit Tyler, himself a brilliant literary artist, laments that the legal profession absorbs many who might otherwise be noted literary men. He speaks of it as "a profession which, in America, has thus far been the receptacle and the tomb for much talent that under other conditions would have found a more congenial and a more illustrious employment in literature."[2]

Great scientific discoveries have not originated in America. There have been too many other things to do; too many practical pursuits; too great rewards in other directions. American talent has not yet turned in a large way to pure science, as compared with European scientific discoveries of the past three centuries. Brander Matthews laments the fact that of twelve fundamental discoveries, as specified by Wallace, America did not discover one, although it did take the lead in applying them. The details are given in the note hereto.[1] But the tide is turning. Great fortunes no longer allure as they did. Public service, self-abnegation, devotion to duty are again becoming ideals. And with these pure science will be sought, because the pursuit of science is spiritual although its use is generally materialistic — the well being of man. Pure science leads upward, trying to answer the unanswerable questions: Who are we; Where are we; Whence came we; Whither are we tending, and What is the First Cause of all this?

Conventionality, uniformity, and conformity are admirable to regulate life and check license, but they are not creative. In America they are great safeguards of the republic against wild-eyed reformers and denouncers of American institutions, laws, customs, and manners, but they deaden individuality and creative genius. Original work in literature, art, and scientific discoveries, as distinguished from scientific applications, is not forthcoming. One cannot doubt that the ability is here but it has not yet been directed into those channels. Perhaps we are too rich or too desirous of getting richer. Europe bends to the wealth, man-power, industry, energy, and materialistic progress of America, but Europe says America has no soul; no intellectual individuality; no spiritual faculties; no individuality of personality, thought, emotion, and mode of life; no mental liberty. Europe says America has standardized and mechanized human life until it has run into crassness, chaos, and intense reality. All this is a formidable indictment. It is largely true. But people who live in glass houses should not throw stones. What books worth reading is Europe turning out; what literary star; what genius in music, art, or architecture; what philosopher or great leader? To an American Europe is comatose and moribund. Its talk about "soul" is drivel.

Things are changing. Our current standards of values are being readjusted. Money is less of a fetish. Endowments for science, literature, and the arts are the order of the day. They will give a moderate income to those who have the capacity and inclination for such pursuits. We have plenty of ambition and the problem is to direct it into new channels.[1]

The standing of a nation also depends largely on its great men in different walks of life. America in government has produced two great men, Washington and Lincoln. Neither of them had the unscrupulous ambition which marked Cæsar and Napoleon, nor the same tragic end, but both of them had a profound influence on the governmental institutions of the world. It must be conceded, however, so far as individual men are concerned, that there is little that is really spectacular in the history of America. It is the nation's ideals as a whole that take the place of so-called great men. Carlyle brutally wrote of the Americans in 1850, "What great human soul, what great thought, what great noble thing that one could worship, or loyally admire, has yet been produced there? None. . . . What have they done? . . . They have doubled their population every twenty years. They have begotten, with a rapidity beyond recorded example, Eighteen Millions of the greatest *bores* [italics his] ever seen in this world before — that hitherto is their feat in History." [2]

This reminds one of Dr. Johnson who in his younger days defined the word " pension " as "pay given to a state hireling for treason to his country," but later he accepted a pension himself from the English government and then about 1769 took up his vitriolic pen and wrote of the Americans, "They are a race of convicts and ought to be thankful for any thing we allow them short of hanging." [3] Carlyle's fierce and boorish invective was perhaps justified to the extent that it is true that the average American has no conversational powers other than talk of business and the routine of life. Emerson expressed this when he said "New York is a sucked orange. All conversation is at an end when we have discharged ourselves of a dozen personalities, domestic or imported, which make up our American existence." [4]

It is natural that men whose thoughts are insistently on details of daily existence have no intellectual appreciation of books or the intellectual movements of the age or even of governmental questions except by instinct, intuition, and settled principles. In England business men do not make up society. It formerly was a social handicap to be even engaged in business. Hence social conversation avoided all business as vulgar and centered on government, politics, distinguished persons, important events, literature, and art. No wonder that English conversational powers and topics were and are superior to those of America. The upper English are citizens of the world, widely traveled and often with a governmental or industrial purpose. England with her world wide empire always has perplexing foreign problems and these are subjects of intense interest. From Africa to Asia and all over the world come topics of conversation. An aristocracy controlling foreign affairs leads the way and social life in London and country seats has a stimulus peculiar to London. America has been busy ever since its origin in materialistic affairs, subduing and settling a continent, building cities, making inventions, cheapening production, and supplying the comforts and luxuries of life. The accumulation of a fortune has been the goal of its most active men. A change is at hand, however, and this reproach will not continue indefinitely.[1] Already there is a stirring of the waters in subordinating business to intellectual pursuits and in the production of books and in more intensive study. Santayana says of the American: "His views are not yet lengthened; his will is not yet broken or transformed."[2] Morison says: "The American of today, with all his wealth, pride, and power, is still unmistakably young, inexperienced, creative in energy but not in thought."[3] True, but we are one hundred and fifty-three years old — the oldest form of government now existing anywhere — and while like Pitt we plead guilty to the atrocious crime of being a young man, yet, like Pitt, we lead the world. The modern American is neither a British Philistine nor a London man of the world. But he is a man of unconquerable soul, and Washington and Lincoln represent his manly qualities. Most English writers refuse to recognize the greatness of Washington, the reason being that he was the chief factor in England's losing America. On the other hand, Trevelyan, Green, and Bryce appreciated Americans, and the Americans appreciate them. And one thing is certain: before England can get the cordial coöperation of America the English must recognize Washington as the great American hero,[1] and whoso attacks him attacks us. John Morley wrote "a patriotic Englishman may revere the memory of Patrick Henry and George Washington not less justly than the patriotic American."[2] Bryce pointed out that Washington and Lincoln furnish a tradition to all Americans of all that is highest and purest in statesmanship and unselfish patriotism and faith in the power of freedom.[3] America wants no biographies setting forth the failings of these two men. They are King Arthurs to the American people.

The Americans have the heredity and environment to develop civilization. They have ambition, application, and brain power. They have wealth and leisure. Already in applied science (inventions, machinery, etc.) they have gone far and are turning to pure science and discoveries. Only in literature and art do they lag. What is it that stirs the waters in literature? Possibly great literature can be produced only in times of great commotion when the very air is electric with great events, like the Golden Age of Greek literature after the Persian wars; of Latins after Cæsar; the Italians after internecine wars; of the English in Shakespeare's time after centuries of turmoil and the discovery of America. Or possibly great literature is produced when the native language is being enlarged, enriched, and transformed, as in each of those four instances. Or does the spirit of man express itself in the highest literature only in those rare times when the public taste has risen to appreciation of the highest form of expression and stimulates writers to flights of genius? Certain it is that want urges on the great writer — want compelling work; want from the wishes of the public. America may yet reach the proper combination to produce great dramas or poetry or history or pictures of human nature. Speed the day!

The above describes a few of the things which the Americans are not. Turning now to what Americans are, the first general fact is that America is essentially Puritan. "The Puritans of New England," says Lord, "the Hollanders of New York, Penn's Quaker colony in Pennsylvania, the Huguenots of South Carolina, the Scotch-Irish Presbyterians of North Carolina, Virginia, Maryland, New Jersey, and Pennsylvania, were all of Calvinistic training, and came from European persecutions. All were rigidly Puritanical in their social and Sabbatarian observances. Even the Episcopalians of Virginia, where a larger Norman-English stock was settled, with infusions of French-Huguenot blood, and where slavery bred more men of wealth and broader social distinctions, were sternly religious in their laws." [1] The essence of Puritanism is self-government and the realm of Puritanism is not art, science, literature, philosophy, but the government of one's self and of one's own government. Hence it is that American Puritanism leads naturally to the mission of America, namely, to demonstrate that a great people in a vast and diversified country can govern themselves by republican institutions. Bryce says there is nothing to indicate that democracy retards or hastens the growth of science, art, learning, or polite letters. These, he says, come and go from causes never yet discovered, and apparently are not affected by the form of government.[2]

This brings us to the character of the masses of the American people. Thinkers as a rule have too little faith in the masses. Even Emerson said, "Leave this hypocritical prating about the masses. Masses are rude, lame, unmade, pernicious in their demands and influence, and need not to be flattered but to be schooled. I wish not to concede anything to them, but to tame, drill, divide and break them up, and draw individuals out of them. The worst of charity is that the lives you are asked to preserve are not worth preserving. Masses! the calamity is the masses. I do not wish any mass at all, but honest men only, lovely, sweet, accomplished women only, and no shovel-handed, narrow-brained, gin-drinking million stockingers or lazzaroni at all. If government knew how, I should like to see it check, not multiply the population. When it reaches its true law of action, every man that is born will be hailed as essential. Away with this hurrah of the masses, and let us have the considerate vote of single men spoken on their honor and their conscience."[1] And yet Emerson had faith in the Republic and believed that true democracy is reconcilable with "natural aristocracy," because elsewhere he says, "if you are here the authorities of the universe put you here, and for cause, or with some task strictly appointed you in your constitution."[2] Professor Abbott says that the increase of the masses "gives one pause. The chief tendency of the past century has been the transfer of power from royalty and aristocracy to the middle class, and so to the masses. The endeavor seems to have been to find the lowest possible common denominator of politics; and we are coming to 'crowd' politics. And what are the characteristics of the crowd? First, an excess of emotion over reason. The crowd is chiefly moved by appeals to its feelings, rather than to its intelligence. A catch word, a rallying cry, an apt phrase, a sudden twist of interest or attention, above all a lack of steady attention, are its peculiar characteristics. It is apt to lack humor. It is a creature of egotism, of impulse, of taboo. It delights chiefly in action; it is little interested in sustained thought; it is fond of conflict; it responds easily to hate and greed and fear. It has passion for hero-worship; it is a demon-worshiper. It has few shades of opinion; things are right or wrong, but chiefly wrong. It believes in the old royal maxim — it can do no wrong. It is the victim of phrases. It believes, and it is taught to believe, that it is superhuman. It is, in fact, sub-human. It is a tyrant. And nothing represents so accurately these qualities as what we have come to call the 'yellow press,' as nothing so indicates the increasing dominance of the crowd as its development."[1] Sir James Fitzjames Stephen says: "The success of equality in America is due, I think, mainly to the circumstance that a large number of people, who were substantially equal in all the more important matters, recognized that fact and did not set up unfounded distinctions. How far they actually are equal now, and how long they will continue to be equal when the population becomes dense, is quite another question. It is also a question, which I cannot do more than glance at in two words in this place, whether the enormous development of equality in America, the rapid production of an immense multitude of commonplace, self-satisfied, and essentially slight people, is an exploit which the whole world need fall down and worship."[2] Sir Lepel H. Griffin wrote, "We cannot but look with some doubt and hesitation at America of today, the apotheosis of Philistinism, the perplexity and despair of statesmen, the Mecca to which turns every religious or social charlatan, where the only God worshiped is Mammon, and the highest education is the share list; where political life, which should be the breath of the nostrils of every freeman, is shunned by an honest man as the plague; where, to enrich jobbers and monopolists and contractors, a nation has emancipated its slaves and enslaved its freemen; where the people is gorged and drunk with materialism, and where wealth has become a curse instead of a blessing. America is the country of disillusion and disappointment, in politics, literature, culture, and art; in its scenery, its cities, and its people. With some experience of every country in the civilized world, I can think of none except Russia in which I would not prefer to reside, in which life would not be more worth living, less sordid and mean, and unlovely."[3] Great Britain professes a wish to be friendly with the United States, but how can two individuals be friendly when one criticizes the other in such fashion as this?[1] John Quincy Adams understood the English thoroughly and he had a sharp tongue. When Secretary of State he exchanged civilities with the British minister in 1821 as follows: "Have you any *claim*," said Adams, "to the mouth of the Columbia River?" "Why, do you not *know*," replied he, "that we have a claim?" "I do not *know*," said Adams, "what you claim or what you do not claim. You claim India; you claim Africa; you claim —" "Perhaps," said he, "a piece of the moon." "No," said Adams, "I have not heard that you claim exclusively any part of the moon; but there is not a spot on *this* habitable globe that I could affirm you do not claim; and there is none which you may not claim with as much color of right as you can have to Columbia River or its mouth."[2]

But should the American masses, the plain people, be so condemned? Bryce says of us, "You have what Aristotle desired, the decisive voice lodged in an enormous body of citizens, well-to-do town workers, and small rural land-owners, who possess enough property to be inclined to disapprove and oppose measures of a revolutionary kind. This body of intelligent and steady men, who have something to lose, yet are not interested in maintaining abuses or excusing evasions of the law contrived by unscrupulous wealth, bridges the chasm between the extremes of wealth and poverty."[3] As a recent brilliant French writer has said, "We must not let the triumphs of city life blind us to the fact that it is in the tranquil backwaters of the old American towns that the men of sterling influence are created. They may be neither the richest nor the most intelligent, but they inspire confidence."[4] In every great national emergency and on every great national question the intuitions and instincts of the plain people have found the right way, and where they had no leader they produced one out of obscurity, such as Lincoln, and when diplomacy failed they produced soldiers, as in the Civil War and the World War. The people are slow, but their instincts and intuitions are unerring, in America at least. Godkin took a broad view which he forcibly expressed in 1868. "There is no careful and intelligent observer," he wrote, "whether he be a friend to democracy or not, who can help admiring the unbroken power with which the popular common sense — that shrewdness, or intelligence, or instinct of self-preservation, I care not what you call it, which so often makes the American farmer a far better politician than nine tenths of the best read European political philosophers — works under all this tumult and confusion of tongues. The newspapers and politicians fret and fume and shout and denounce; but the great mass, the nineteen or twenty millions, work away in the fields and workshops, saying little, thinking much, hardy, earnest, self-reliant, very tolerant, very indulgent, very shrewd, but ready whenever the government needs it, with musket, or purse, or vote, as the case may be, laughing and cheering occasionally at public meetings, but when you meet them individually on the highroad or in their own houses, very cool, then, sensible men, filled with no delusions, carried away by no frenzies, believing firmly in the future greatness and glory of the republic, but holding to no other article of faith as essential to political salvation."[1] As Bryce says, "If you can get at the people — for that is the difficulty — things will usually go well. But the people must have time."[2] Judge Baldwin says, "Public sentiment is a purer source of action, or a source of purer action, than knowledge or even wisdom. It is God-made."[3] Hart says that public opinion "is not a stream, it is a glacier, confined between granite walls, crushing down to powder everything that falls upon it; and woe betide the man or the party that hopes to wall it in! Within its limits, it is always moving, always pushing, never relenting, and it will and must in the end have its way. The purpose, the service, of American democracy is to transform this crude and monstrous force into a power which may express itself in human government."[4] It is a mistake to think that the plain people wish to drag a leader down to their level. They wish their children to rise to his level, and they themselves worship great men, such as Washington and Lincoln. Human nature must have something to look up to; all nature is towards betterment, physically, mentally, morally.

Nature does nothing by leaps, but slowly evolves new and higher types by mingling the best qualities of old ones. Centuries roll by while nature is producing a new race of men. Nature favors the strong, the true, the man of simple habits, the survival of the fittest; nature gives to mind a supremacy over matter. Nature loves those who live close to her. Those elements in America which are energetic, original, persevering, and conscientious will predominate. In the beginning it was New England. That Puritan type, broadened by transfer to other parts of the country, still prevails and forms the fabric of the American nation. It is true that there are distinct American types with different notions of life. There is the cultured New Englander, the trading New Yorker, the contented Pennsylvanian, the fiery Southerner, the mild Californian, the hospitable Kentuckian, the radical Wisconsinite, the suave Ohioan, the engineering Michigander, the great agricultural states of Indiana, Illinois, Iowa, Kansas, and Nebraska; states mountainous and states mining.

> "I think that I have seen you, not as one,
> But clad in diverse semblances and powers,
> Always the same, as light falls from the sun,
> And always different, as the differing hours."[1]

But all play a part in the great American drama now going on; not the maelstrom of Washington, but the drama of a great experiment in self-government. They are the masses, and their typical American characteristics are most pronounced and most clearly discernible in the West, to which we now turn.

CHAPTER XXXVIII

THE WESTERNER

Public sentiment, the sentiment that really controls America, is still made up by the intelligent, conservative classes — the farmers, merchants, bankers, lawyers, and manufacturers throughout the country. And they are what is called "good blood," a term not confined to those of distinguished ancestry nor to old families, but includes all men and women from families of intelligence and character, however lowly. Roosevelt expressed the idea in his "Winning of the West," when he said, "They were of good blood — using the words as they should be used, as meaning blood that has flowed through the veins of generations of self-restraint and courage and hard work, and careful training in mind, and in the manly virtues. Their inheritance of sturdy and self-reliant manhood helped them greatly; their blood told in their favor as blood generally does tell when other things are equal. If they prized intellect, they prized character more; they were strong in body and mind, stout of heart, and resolute of will. They felt that pride of race which spurs a man to effort, instead of making him feel that he is excused from effort."[1] These are the men who make up the public sentiment of America, the sentiment that rules.

The cities, mines, and factories of the Atlantic Coast are being inundated by foreigners. American institutions are not safe in foreign hands. It is to the West, the great Mississippi Valley, that all eyes are turned to fathom the future of the Republic. In 1920 the center of population was in Indiana, figured approximately by important towns; the center of farm values was the center of Missouri.[2] Professor Farrand writing in 1918 said that nearly seventy per cent of Americans live beyond the Allegheny Mountains.[1] And these Westerners far more than the Atlantic Coast states have departed from European models. As President Hadley says, the western commonwealths "had never been colonies but grew up to statehood independently; communities that had never known crown governors and crown grants, but had developed under the American flag and the preëmption law. Owing to the conditions under which they were founded, these western communities were intensely patriotic."[2] As each succeeding wave of migration moved westward new necessities, new expedients, and a new type of man arose. European thought, customs, precedents, and outlook on life, which still profoundly affect the East, have less and less influence as you go farther and farther West. The average gives the Western type. The East still has the lead by reason of its wealth and finished men, but the West like a great dormant machine is not to be withstood when it gets into motion. The East may guide it but cannot control it. The West dominates America not intentionally nor even consciously, but its fiat is America. And the East appreciates the Western character. Senator Hoar of Massachusetts said the men from New England who in large part peopled Ohio, Michigan, Indiana, Illinois, and Wisconsin were "the very best specimens of the New England character that could be found. They were among the most steadfast, constant, liberty-loving men that ever lived."[3] President Butler of Columbia University takes the same view: "The American type is seen at its purest and best in any one of the hundred or more small cities and towns in the Middle West."[4] Siegfried, a philosophic recent French writer, says: "One discovers the typical American only further west, in that immense and nameless country between the Alleghenies and the Rockies, which lives on itself, and ignoring Europe entirely, thinks only of its own ways, its own moral standards, and its own wealth."[5] Professor Hart said in 1900: "The Mississippi Valley yields to no region in the world in interest, in romance, and in promise for the future. Here, if anywhere, is the real America — the field, the theater, and the basis of the civilization of the Western World. The history of the Mississippi Valley is the history of the United States; its future is the future of one of the most powerful of modern nations."[1] Roosevelt, speaking of the states that have grown up around the Great Lakes and in the valley of the Mississippi, wrote, "I regard this section of the country as the heart of true American sentiment."[2] Speaking of the Civil War, Godkin said: "All the great generals of the war are Western men. No higher capacity for organization, for conceiving great enterprises, and conducting them with courage and fortitude, accuracy, and punctuality, has been displayed than in those mushroom communities which yesterday were not. And if we turn from the military to the political field, we find everywhere the most striking proofs of the sagacity, foresight, patriotism, and tenacity of their population. We wish we could say there had been exhibited in the East so general, profound, and just an appreciation of the remoter bearings of this great contest, of its possible influence on society and government, as has been exhibited in the West. There are no fundamental characteristics of 'an imperial race,' which the people of the new States have not revealed; and those who know them best see in the progress they are now making every reason to feel satisfied that the great material strength which they are developing will be, ere long, controlled and directed by a very high order of cultivation, both intellectual and æsthetic, and perhaps richer, more varied, and more original in many of its manifestations than any that has been seen in modern times. If the West should in future answer all the demands made on it by civilization with the alacrity and success with which it has answered those made on it by the political crisis through which we are now passing, the human race would, in a very short time, be even more indebted to it than the nation is already."[3] Professor Becker of Cornell says, "In spite of its primitive crudity, the flux and mobility of life in the West developed a certain restless energy, an inventive resourcefulness, a flexibility of mind, a certain humane tolerance, and a kind of genial acceptance of ill and good fortune which form the basis of that national character which is called America."[1] President Hadley says, "It was these Western settlers who created the American type of character."[2] Max Farrand says, "Emerson could write in 1844: 'Europe stretches to the Alleghenies; America lies beyond.' Lord Bryce, in 'The American Commonwealth,' has said that 'The West may be called the most distinctly American part of America, because the points in which it differs from the East are the points in which America as a whole differs from Europe.'"[3] And in a supplementary book Bryce said: "The West is the most American part of America; that is to say, the part where those features which distinguish America from Europe come out in the strongest relief."[4] Lord wrote, "Politics ever have been the passion of Western men with more than average ability."[5] And speaking of Lincoln he said, "the East saw that thereafter political power would center in the West, and dominate the whole country — against which it was useless to complain or rebel, since, according to all political axioms, the majority will rule, and ought to rule. And the more the East saw of the leading men of the West, the more it respected their force of mind, their broad and comprehensive views, and their fitness for high place under the government."[6] West wrote in 1922: "The Westerners of 1830 had developed a new American type — to remain the dominant one for two generations: tall, gaunt men, adventurous and resolute, of masterful temper, daunted by no emergency, impatient of authority, but with a leaven of high idealism. The West believed in the worth of the common man. Already it had become 'the most American part of America.' Here the new nation showed best its raw youth, unpolished, but sound at heart; crude, ungainly, lacking the poise and repose and dignity of older societies; but buoyantly self-confident, throbbing with rude vigor, grappling unconcernedly with impossible tasks, getting them done somehow, and dreaming overnight of vaster ones for the morrow. Some small embarrassment it felt for its temporary ignorance of books and art; but it exulted boastfully in its mastery of nature and its daring social experiments, and it appealed, with sure faith, to the future to add the refinements and graces of life."[1] Hobson, an English writer, says, "The center of gravity in America lies no longer in the Eastern States. Napoleon's prediction, when he sold the great estate of Louisiana, has already come true; the population of the Mississippi Valley are the types of what is best and strongest in modern America. Even now the student of American civilization will find his richest and most indicative material in these middle States."[2] Munroe, a Massachusetts writer, says, "The Atlantic seaboard states, with the ocean in front of them and the mountains behind them, with Europe and South America and the islands of the sea feeding them with ideas more or less new to the United States, will never wholly lose their individuality. The Pacific states, for like reasons, will have distinctiveness for all time to come. But the enormous basin between the Appalachians and the Rockies will, as it consolidates, grow, like its monotonous plains, more and more indistinguishable, the one section from the other, until it will think and act and live substantially as a unit, dominating by its bulk and the vastness of its homogeneity the political life of the United States." He says further, however, of these Westerners, "They have some, and will have more idealism; but it is the idealism of doing things on a large scale, not that of seeking to attain such perfection as only the highly developed imagination is able to portray. Their ideals for America are, and probably always will be, sturdy but commonplace, — not like those, therefore, of the men who conceived the Declaration of Independence and framed the Constitution."[3] Turner wrote, "The ideal of the West was its emphasis upon the worth and possibilities of the common man, its belief in the right of every man to rise to the full measure of his own nature, under conditions of social mobility. Western democracy was no theorist's dream. It came, stark and strong and full of life, from the American forest."[1] It is no longer necessary to say as Senator Benton of Missouri said: "It is time that Western men had some share in the destinies of this Republic."[2] The President and Vice President elected in 1928 were both born west of the Mississippi River.

It is an interesting fact that the East and South have never been very enthusiastic about the West. Jefferson wrote in 1804, "Whether we remain in one confederacy or form into Atlantic and Mississippi confederations, I believe not very important to the happiness of either part."[3] Quincy of Boston in a speech in the House of Representatives in 1811 said, "The debates on the Federal Constitution would show that the effect of the slave representation and of the transfer of power to the West, were subjects of great jealousy to some of the best patriots of the Northern and Eastern States. Had it been forseen that, besides all that, the population of a world beyond the Mississippi was to come in, to change all existing proportions of political weight and influence — to make our laws, control our action, and decide our destiny — would such an arrangement, such a throwing of our rights, liberties, and property into hotchpotch with the wild men on the Missouri, have been listened to for a moment?"[4] Emerson took a broader view when he said in 1851, "Let these rough riders—legislators in shirtsleeves, Hoosier, Sucker, Wolverine, Badger, or whatever hard head Arkansas, Oregon, or Utah sends, half orator, half assassin, to represent its wrath and cupidity at Washington — let these drive as they may, and the distribution of territories and public lands, the necessity of balancing and keeping at bay the snarling majorities of German, Irish, and of native millions, will bestow promptness, address, and reason, at last, on our buffalo hunter, and authority and majesty of manners. The instinct of the people is right."[5] And again, in describing how the Westerners were rough and ruthless in overriding all opposition, he said they "proceed from step to step, and they have calculated but too justly upon their Excellencies the New England governors, and upon their Honors the New England legislators." [1]

Now all this is all very well, but how will this Westerner bear analysis? In a materialistic way — crop raising, manufacturing, mining, building, and fortune making he is equal to the best, but that is not a great goal. It is materialistic. It produces material comforts, but what are they compared with free institutions, and how are such institutions to be preserved? In literature, science, and the arts the West does little. It has been the hope of many and the belief of a few that as the country grew, money making would be sought less, and literature, science, and art more. There are few evidences, however, East or West, that this dream will come true. In manners the West is not equal to the East. The East is cosmopolitan and in touch with the best that Europe can give. The quiet dignity of the New Englander, the urbanity and man-of-the-world bearing of the New Yorker, the courtesy of the Southerner, are not easily surpassed or equaled. The Westerner does not excel in these. He may migrate to the East and succeed by unlimited toil, but as a rule he will get little recognition. However, individuality is everything in the United States; society nothing; social and academic favors are worthless; while political honors are illusive, ephemeral, and disappointing. The East furnishes intellectual opportunities and the influence of the East on the West is very great. Superficial writers say that Western towns are dreary and deadly monotonous; and that the inhabitants are commonplace, mediocre, wooden, and all alike with a shoddy mentality. By their fruits shall ye know them. Somehow or other the children from these towns rise into eminence. Their simple habits, stored-up resources of energy and willingness to work, go far even in this highly competitive country. Greatness is developed but not created in the rush and roar of cities.

But it is in his own part of the country that the Westerner rises to his full stature. On the great national questions, involving the supremacy of law and order, the preservation of the Republic, the perpetuity of democratic institutions, the observance of the Constitution, the repression of any attempt of capital, labor, or foreigners to dominate the country — on these fundamental propositions, testing the capacity of the American people to govern itself, the West stands like a rock. The Westerner is highly individualistic; in other words, he relies upon himself to carve out his future and wants no interference by the state or anybody else so long as he obeys the laws. His habits as a rule are simple and even austere. Work and not pleasure is the occupation of the day. Wealth is distributed and not excessive in the thousands of little cities and towns. Social dissipation is not the goal of life. European distractions have little attraction for the Westerner. His travels are chiefly in his own country. Education is universal. The common school is democratic and private schools do not thrive. Higher education is provided by the state, for women equally with men. Home life is simple, but binds the family in indissoluble ties. Brilliancy of intellect is rare, but the training and capacity for work is unlimited. The brain is slow but solid and reliable. Opinions are reached after careful consideration and then adhered to. Not so rosy, however, is the picture, drawn by Willa Cather, of the young in Nebraska in the extreme west of the Mississippi Valley, — "Of course," she says, "there is the other side of the medal, stamped with the ugly crest of materialism, which has set its seal upon all of our most productive commonwealths. Too much prosperity, too many moving-picture shows, too much gaudy fiction have colored the taste and manners of so many of these Nebraskans of the future. There, as elsewhere, one finds the frenzy to be showy; farmer boys who wish to be spenders before they are earners, girls who try to look like the heroines of the cinema screen; a coming generation which tries to cheat its æsthetic sense by buying things instead of making anything. There is even danger that that fine institution, the University of Nebraska, may become a gigantic trade school. The men who control its destiny, the regents and the lawmakers, wish their sons and daughters to study machines, mercantile processes, 'the principles of business'; everything that has to do with the game of getting on in the world — and nothing else. The classics, the humanities, are having their dark hour. They are in eclipse. Studies that develop taste and enrich personality are not encouraged. But the 'Classics' have a way of revenging themselves. One may venture to hope that the children, or the grandchildren of a generation that goes to a university to select only the most utilitarian subjects in the course of study — among them, salesmanship and dressmaking — will revolt against all the heaped-up, machine-made materialism about them. They will go back to the old sources of culture and wisdom — not as a duty, but with burning desire."[1] This picture I believe is transitory. The West swings wide but returns from afar and a little Gallic gayety may do no harm to Puritanic severity. America is fundamentally Puritanic, and surface changes come and go.

Simplicity in life has not yet been banished from America. It still exists in countless homes, east, west, north, and south. It will preserve and re-create the old-time American character. The craving for excitement, luxury, display, and pleasure does not yet dominate this nation. In time those things will be understood at their true value and want of value. The same thing happened at Rome. After excessive wealth had done its worst, in fact, wrecked the republic, the old Roman spirit was revived and restored by Stoicism and kept the Roman Empire alive for four hundred years. In America the stake is the preservation of American institutions, the American republic. The force, however, the living, driving power, is American character. On that at present the history of the world is turning. The very responsibility has a chastening effect.[2]

The West is not shackled by *blocs*. There is no Irish *bloc*, or Jewish *bloc*, or Italian *bloc*, or even German *bloc* except in a few localities and a few large cities. The farmers and the citizens of the small towns dominate and make public sentiment. In fact, throughout the United States as a whole nearly half of our population is found on the farms and in the little towns of less than 2500 people. In the West still more so. To the West the country will ultimately look to meet the problems and dangers which threaten American institutions.

The two types of American character — Massachusetts and Virginia — the one ascetic, the other chivalric, both ideal and of equal value, still govern this nation and mold its characteristics. Neither could be spared. Those two types have met and blended in the West. The English stock from Massachusetts and Virginia is the warp and woof of the Western American — the stock that produced Lincoln. At the roots of the Western people lies that lineage — no better anywhere. It may not be brilliant, but it is highly intelligent and is absolutely reliable. *There* lies the safety of the republic. There also lies the final aim of nature — so far as we can understand nature — the production of character. Nature does not disclose her secrets and purposes easily. The mind of man by religion and science gropes to know why we are here. Only a little is revealed. The human intellect, like the human eye and ear, sees but a part. "If I enter into a dark room, in which there is a freely movable rod, and if I am able to make this rod perform any desired number of vibrations, I shall witness the following phenomena: As soon as the number of vibrations has reached sixteen per second, that is to say, with sixteen impacts against my tympanum, my ear perceives a deep bass note. With the increase in the number of vibrations the tone becomes higher and shriller, and at 40,000 vibrations my ear no longer perceives it. Everything is silent; the limit of perception of my ear has been exceeded. I feel heat radiating from the rod, but I hear it no longer. Only much later, when the number of vibrations has reached 450 billions per second, there begins the activity of another organ of sense, the eye. I see the rod; it shines with dark red color. The number of vibrations increasing, the luminous color runs through the series of the rainbow; at 800 billions it has reached the dark violet; darkness comes on once more; the limit of perception of my eye has been exceeded; whatever lies beyond remains unknown to me. Thus nature has set bounds to the faculty of hearing, below and above; and after a long interval she has opened to the eye a similarly bounded though much more extensive range. We fancy we perceive the whole outer world, and yet it is merely framed windows as it were that permit us to listen and to look forth out of ourselves."

> "There are more things in heaven and earth, Horatio,
> Than are dreamt of in your philosophy."[1]

So with the human mind. But so far as we can see, the final aim of nature is character.

CHAPTER XXXIX

EDUCATION

THIS is the acid which dissolves racial differences and class distinctions. Hence it is feared by immigrant leaders who oppose their followers becoming thorough Americans. Especially do they fear the fact that the American common school education teaches the English language and thus weakens the tie between the young and their European antecedents. The compulsory school law is doing more than all other influences combined to Americanize the vast mass of unassimilated foreigners in our midst. The magnitude of the task is shown by the figures relative to education already given.[*] All attempts to weaken the system of common school education in English have broken down. The public sentiment of America is fixed on that subject and will tolerate no dissent. The mistake of admitting the millions of impossible people from southern and eastern Europe cannot be undone nor can those people be driven out, but at least they can be compelled to send their children to school and learn the English language and absorb American ideas. Even then it will be long before they will make real Americans, but that is the best we can do.

A recent book by Speranza on "Race or Nation" — himself of Italian descent — points out with great clearness the necessity of insisting that separate masses of immigrants from Europe, retaining their own language and customs and rejecting the English language and American customs, shall be obliged by law to accept and adopt the American compulsory common school system, and secondly, the teaching of the English language and that language only in that system. These two things will go far towards unifying the American people and in the course of time may break up the present dangerous class divisions based on race. Speranza points out that "Every such attempt at making English the language of our country, has been fought in some twenty different states of the Union, by culturally alien groups who bitterly opposed any predominance of English over their 'mother-tongue.'"[1] Every man who can read English will at least read American newspapers and learn the American point of view. It will help to break down the barriers that separate him from American institutions.

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[*] See pp. 42–44, *supra.*

The necessity of education needs no comment. It is a part of our heritage. Any attempt to restrict it or weaken it will be crushed without hesitation or mercy. Whosoever, whether individual or race or denomination, stands in the way of universal education, will be swept aside and ruthlessly overridden. A common school education is here referred to. Coit, an able English writer of American birth, well says, "Democrats, if their cause is to prosper, must proclaim upon the housetops that the diffusion of social intelligence is the only basis of democracy. . . . That diffusion of practical reason which prevailed among the American colonists in 1776 was adequate. So was that among the new voters in England in 1832. Popular government does not ask its electors to be geniuses, experts, specialists, scientific discoverers, inventors, philosophers, or creative statesmen. Of these it needs only a number sufficient to design, invent, regulate, and inspire its various institutions. From the vast residue of men it exacts an easier kind and a far lower degree of knowledge and skill. It exacts only the capacity to recognize and appreciate preëminent ability and attainment when they appear. Fortunately for democracy, and therefore for humanity, persons who know nothing special of any one art or science and have no originality to create or discover anything new, can, if on the whole well-informed and well-trained to observe and to judge, easily detect the signs of special superiorities in others. For this end only a general education and only the capacity to appreciate the values of things after they are presented are required. Common-sense people, of all-around experience and with a general schooling, can, at least on the whole and in a rough sort of way, select from their own village, and when leisure allows, and a motive drives them to consider the facts, the best doctor, the best lawyer, the best preacher, the best teacher, architect, singer, actor, shoemaker — and whom not? For this purpose probably no higher degree of general mental discipline and knowledge in youth is needed for the masses at large than that attained by the average public school boy of eighteen. After the school days, no further systematic education is needed than leisure hours would afford after a fair day's work."[1] Webster said, "On the diffusion of education among the people rests the preservation and perpetuity of our free institutions."[2] Barker, a recent English writer, says: "But of all the areas in which a nation can choose, and of all the means by which it can determine its future, there is none that matters more, or indeed as much, as education. It touches the mind; and the mind is the life of man. It touches the mind on many sides; for it stimulates the intelligence towards truth, both practical and theoretic; it awakens the taste to beauty — beauty of bright sight and murmuring sound; it shapes the will toward goodness, and forms and strengthens the character. And since it touches the mind, and touches the mind on many sides, it may do many things for our future. It may check and steady the fever and fret of our urban life; it may chasten, and sublimate to a noble fellowship of common achievement, the gregarious and follow-my-leader habit of our urban population. It may help us to mobilize to the highest reach of their capacity, by a practical training in general skill, all the human resources by which we can best ensure the economic future of our country. It may teach us to cultivate our leisure, and to make ourselves at home in all those broad spaces of the spirit, with all their possibilities of fine enjoyment, that lie outside and around the area of daily work. It may lift men to international conceptions of the past history and the future policy of their nation, and open their eyes to the ways of international coöperation and the duty of national mission."[1]

Nor is the influence of the universities and colleges to be overlooked. They give knowledge, discipline of mind, power of concentration and high principles, to the good of the public. And they are becoming more efficient every year. They are the leaven of the lump and their graduates come straight from the ranks of the people. It is true that on the average only one out of four hundred common school children proceeds to college and finishes his college course,[2] but his influence runs like quicksilver throughout the body politic. Unpretentious and unseen the silent power of the universities and colleges works ceaselessly and untiringly for the preservation of American institutions against foreign and domestic foes. Judge Baldwin says, "A statistician of authority has ascertained that there are two States which lead and have long led all others, relatively to their population, in respect to the number of their citizens to whom distinction for their merits is accorded by common consent. They are Massachusetts and Connecticut. It can hardly be doubted that the cause is the possession by each of an ancient university."[3]

Education opens all doors to ambition. Even Jove was subject to his daughter, Minerva, goddess of the arts and sciences. It was she who said

> "Of all the gods, I only know the keys
> That ope the solid doors within whose vaults
> His thunders sleep."[4]

CHAPTER XL

THE FARMER

THERE are three great forces in the United States which make up the industrial, political, and social life of the nation. These are agriculture; railroads and commerce; and capital and labor in manufacturing, mining, banking, and trade. The agricultural classes, intelligent but unorganized and widely scattered throughout this vast country, are suspicious of the treatment they are receiving. The farmers and their close allies, the inhabitants of the towns of less than 2500 people, being about half of our entire population (51,406,017 as against 54,304,603 in cities of 2500 or more), control the moral, intellectual, material, and political life of the nation. It is a constituency still true to the New England ideal of preserving this country as the land of opportunity, of self-made men, of freedom from class distinctions and the power of wealth — the land where men of ability and honesty rise, irrespective of birth, wealth, or family influence. And these country villages of from 250 to 2500 inhabitants are not be be underrated. There are 18,000 of them and they contained in 1920 nearly thirteen million people, about one-eighth of our population. They are made up mostly of people born in the vicinity and contain more native Americans in proportion than the cities or farming class. They are conservative and about two-thirds of them are over 45 or under 20 years of age. They are largely composed of farmers who have moved into town and as a rule each owns his own home. They are the connecting link between the farms and the cities and are more like the country than the town. Their population is increasing two and a half times as fast as in the open country.[1] They generally have a few stores, a small bank, a creamery and a canning factory; buy the farmer's productions and sell him things from the cities. They grow because their schools, churches, and doctors are attractive to the plain farmers. They may develop into homes for active farmers, going to and fro by automobile, thus giving them more social life. But most important of all they are thoroughly American and have a character of their own. They are content and have a solid economic basis. They represent the conservative, slow-moving, nation-preserving instincts and principles of the American people, suspicious of capitalists, labor unions, and manufacturing trusts. The villager is plain, unassuming, unaffected, strong, and steady. He is a typical American; a real, substantial element of the nation's reserve strength; patriotic to the last degree; a "citizen standing in the doorway of his home, contented on his threshold." He may be beyond or below the military age but he is the man of whom Henry Grady eloquently said: "He shall save the Republic when the drum tap is futile and the barracks are exhausted."[1] In him slumbers the germ of sacrifice. "Main Street" may be uninteresting and bound down by uniformity and conformity (safeguards of a republic) but "Main Street" occasionally sends forth a great leader, an intellectual man, who carries his principles with him and to whom all turn in times of stress, like Lincoln.[2]

At the time of the Revolution manufacturing was of little consequence and the country was about ninety per cent agricultural. In 1824 nearly four-fifths of the people were still on the farms. By 1920, however, all this had changed, and only about one-third of our people were on the farms. Of 41,609,000 gain-seeking men in the United States only about 11,000,000 were agriculturists — some twenty-six per cent. Manufacturing industries employed about 12,800,000. Next came trade with about 4,244,000; mining 1,090,000; railroads 1,218,000; other transportation 1,845,000; clerical 3,120,000; professional 2,152,000; domestic service 3,400,000. The value of the farm property in 1920 was about seventy-eight billions, while the capital of the factories in 1919 was about forty-five billions. The value of the farm output was about twenty-one and a half billions, while the value of manufactured products, exclusive of raw material, was only a little more, namely, twenty-five billions. The entire value of manufactured products was about sixty-two and a half billions, but this included raw material, such as cotton, wool, etc. The census points out that the gross value of manufactured products is no basis for comparison. It is said that in 1924 the value of farm property had dropped to $59,154,000,000.[1]

Large crops produce cheap food, more marriages, and greater population. Large manufactures, on the other hand, produce overproduction and wars, commercial and military, for new markets. Overmanufacture may lead to the absorption of Central and South America with peril to our institutions. At present this is still an agricultural country. Its vast extent and diversified soil and climate will for a long time keep it so. And looking at the mission of America to demonstrate that a great people can govern itself this is fortunate. Farmers owning their own land are never revolutionists; they are not socialists; they are conservative and ask only that government shall be simple, inexpensive, free from favors to special interests, and shall preserve law and order. The Constitution of the United States is safe in the farmer's hands; popular sovereignty is safe in his hands; he wants no king, nobility, or privileged classes; neither does he want any riots, lawlessness, or disregard of life, liberty, and property. From time immemorial the farmer has possessed and preserved the simple virtues, the rugged strength, the reserved power, the sterling qualities of nature herself. He stands firm and beneath his rusticity you have met a man. He may be slow and narrow, but he is sure and from him come the moral and intellectual health and strength of the cities. His life is silent with a plain dignity, close to nature. As Emerson says, "a farmer looks at you as strong as the horse; his eye-beam is like the stroke of a staff."[2] Secretary of Agriculture Wallace in his book on "Our Debt and Duty to the Farmer" well said: "The open country breeds strong and self-reliant men and women, vigorous in mind and body, whose daily lives breathe the spirit of freedom and liberty and justice. Hence the farmer has always been the dependence of the Government in time of war and its balance-wheel when great national policies are being considered. The long days in the fields give time for thought and reflection. The rush and confusion of the cities, and the daily strife with competitors, are absent. Contact with the forces of nature gives the farmer broad vision, makes him deliberate, patient, tolerant, and not easily swayed by temporary emotions. Consequently the farmer has always been the national stabilizer. It is he who has contributed the sober second thought and usually the deciding voice when great issues of government have arisen. He is instinctively conservative in his views, a strong supporter of law, of the protection of property, of lawful and orderly ways of doing things."[1] So long as this country has a multitude of small farmers, each owning his own land, popular sovereignty is safe and the republic will continue. The farmer is the backbone of the country. He is not spoiled by wealth or luxury. His occupation being a safe one and partially physical his income is small. His life has been isolated, but now the automobile, telephone, letter delivery, radio, and newspaper are rapidly changing all this. They tend to keep him poor, but frugality and character are now, as they always have been, the attributes of the farmer. He is the balance-wheel of government. In 1920 only about 9 per cent of the 6,448,343 farm operators were foreign born, being less than 11 per cent of all foreign-born white persons in the United States.

In the rattle and roar of the great cities, with their labor unions, capital, manufacturing, markets, agitation, class interests, mingled with fear and fright as to the outcome, it is astonishing how the public ignore the one safeguard of the republic, namely, our millions of farmers. The farmer is close to the soil. The froth and foam of city life has little effect on him. He and nature work together. Both are self-reliant. Both mold disturbance into progress. President Coolidge says: "The farm has a social value which cannot be overestimated. It is the natural home of liberty and the support of courage and character. In all the nation it is the chief abiding place of the spirit of independence. . . . If we ever permit our farming population to fall to the level of a mere agricultural peasantry, they will carry down with them the general social and economic level. Every citizen among us has a personal concern for the welfare of the farmer. The fortunes of all of us will in the end go up or down with his."[1] Fortunately America is naturally a land of farmers. Never before has so much tilled land been contained in one country. It is found everywhere, always purchasable at a fair price, always changing as to ownership, always producing a new crop of men and women. The prosperity of the farmers, the increase in their numbers, the ownership of their holdings, spell the safety of the republic. A wise and far-seeing policy will favor them at any price and at any sacrifice. In all ages the farmer has been the conservative element of the state. The cities are the centers of culture and intellectual progress, but they are also the centers of corruption, excessive wealth, labor troubles, class distinctions, discontent, and radicalism. Jefferson's language was expressive if not particularly edifying when he said, "the mobs of the great cities add just so much strength to the support of pure government as sores do to the strength of the human body."[2] While our reformers, social uplifters, sentimentalists, and constitution revisers are expending their energies in reorganizing the world, the conservative thinking classes might well be interested in checking the cities and developing the country life. *That* would dispose of most of the isms which flourish in the cities. The tree is not so good as the root. The country is the origin of all that is best in the cities. "The men in cities who are the centers of energy, the driving wheels of trade, politics, or practical arts, and the women of beauty and genius, are the children or grand-children of farmers, and are spending the energies which their fathers' hardy, silent life accumulated in frosty furrows, in poverty, necessity, and darkness."[1] The National Industrial Conference Board says, "Our farmers are more than a class of our population. Farming is more than an industry. The significance of agriculture in the life of the nation is far deeper than this. It touches something vital and fundamental in the national existence. It involves the national security, the racial character, the economic welfare, and the social progress of our people."[2] Miller says with great force: "The best of the country youth, drawn by the very advance of civilization, goes from the farms to the county seats, on to the state metropolises, and on to New York or Chicago. So the youth of like fiber went up from the ancient farms to Rome and to Nineveh, no doubt, and to Thebes of the hundred gates. The exodus has been going on since the first towns sprang up in the midst of the fields; the problem of how to control it and keep it within bounds so that the farming country will not finally be deprived of the seed stock of its best humanity is older than any civilization of which we know; and it is a problem as yet unsolved. The immeasurable fecundity of the fields enables them to go on, age after age, producing the food and the clothing for mankind, producing wealth and men to labor; but not always have they continued to produce brain and vision. Again and again they have failed to supply the cities with the new vigor and the new vitality cities must have if they are to live, and again and again nations have gone down into the dust, weary and old and nerveless, seemingly, because the great life-currents from the fields had ceased to flow. . . . If the country districts are too closely drained, become too different in standards of life and in social opportunity from the town, our old tradition of great leaders coming out of humble farm homes will become in the course of a few generations but an old tradition, and our old reality of cities and towns kept fresh and vital by the influx of freshness and vitality from the country will cease to be a reality. For the stock that produces leaders, the blood that carries freshness and vitality in its currents, will not remain where life is permanently lacking in zest and opportunity."[1] Strachey, an English writer, describes a cross-country trip from Buffalo to Philadelphia as follows: "What has impressed itself on my mind indelibly, what has become part of my spiritual heritage, is the line of homesteads stretching like a mighty procession. They were not, of course, continuous in a strict sense. There were miles upon miles of open country between the various villages and towns. But what everywhere dominated the scene were the homes of country people. Sometimes in groups, sometimes standing by themselves among their huge barns and farm buildings, and surrounded by smiling orchards, stood these homes of the men who, as I have said, hold the destiny of the Republic in their hands. In the future, as in the past, they will give the final word. . . . After what I had seen, I was not going to worry myself any more about the future of the Republic, or, if I could prevent it, allow my friends to depress themselves. . . . There may be folly, there may be corruption, there may be lawlessness, there may be social injustice; but you shall never persuade me that this is not still the land of freedom and good life, or that the spirit of the men who made the State at the Revolution and maintained it on the field of Gettysburg has died out of the land."[2]

Statistics are dreary but necessary to understand the farm question. Of the 1,903,000,000 acres of land in the United States only 365,000,000 acres are tilled and over half of the balance is untillable. Irrigation may add fifteen million acres that will pay. Abandoned farms are to a certain extent coming again into use, but they cut little figure. In 1920 there were about six and a half million farms, a slight increase over 1910. The average farm was 148 acres and was worth $12,084, or about $81 an acre, as against an average of 138 acres in 1910 worth about $47 an acre. The free land was exhausted in 1890 and farm values began to rise. From 1900 to 1910 they rose 100%; from 1910 to 1920 they rose 90% further; in other words, from forty-one billion dollars to seventy-eight billions.

Many people think the corporations are absorbing farms. This is a mistake. The census includes corporations, large ranches, and large estates under one heading, "managers." Even so they own only 1% of the farms and only 2.6% of the improved land. Their average holding is 790 acres with only a quarter of it improved. "Managers" are found chiefly in the arid states. They cut little figure in the great states. This is very different from what Bushnell says of Rome: "When the Roman state was at the height of its wealth, there were not more than twenty landholders in Italy; the rest of the people were dependents — an idle, thriftless, profligate race, ripe for every possible mischief and sedition."[1] Rome was rotten. Patton says: "Large-scale farms have been notoriously unsuccessful. No doubt several factors have combined to produce this effect, but one factor seems to be by all odds the most important. It is the difficulty of supervising the increased labor supply necessary for the operation of the large-scale farm. . . . The most important factor limiting the profits to be secured by enlarging the area of a farm is apparently the tendency toward growing inefficiency of supervision, and hence diminishing returns as the size of the farm is increased." He also points out that Missouri statistics in 1916 show that farms of from 81 to 200 acres give the best returns.[2]

Tenant farming is a more dangerous tendency. The number of tenant farmers in 1920 was about two and a half millions, as against about four million farmers tilling their own land. The number of tenant farmers in 1880 was 25.6% of all farmers; in 1890, 28.4%; in 1900, 35.3%; in 1910, 37%; in 1920, 38.1%. But over a quarter of these tenant farmers were in the South where cotton is raised in small patches by negro and white tenants. In fact, half of the farmers in the South are tenants. Tenancy increased in the Northwest from 1910 to 1920 but it is still relatively low in that part of the country. It decreased in New England and the Middle Atlantic states and in some Southern states. Tenant farmers are not to be underrated. England for centuries had and still has tenant farmers and they furnished the solid basis on which England rested, the rent being unaltered for long periods and valuable rights of the tenant being preserved by unalterable customs. In America, however, tenancy is temporary and the best tenant is the owner himself. Tenancy impoverishes the soil and is bad for the independence of the tenant. Non-resident landlordism is always a menace. New York State broke up leases of agricultural lands for over twelve years by constitutional provision. That grew out of the evils of the Dutch patroon system. But all leases of farms, whether long or short, lack the advantages of the owner tilling his own land. The old saying is the best manure is the owner's foot. The growth of tenancy is probably due largely to the rise in the value of the land, tempting the owner to move into town and live on the rent. Often it is due to foreclosure of a mortgage and yet the mortgagee does not want the farm. In the long run it will prove unprofitable and already is slackening. Moreover, for lack of capital young men often start as tenants and later acquire the farm. In fact a statement by the Department of Agriculture in 1927 shows that nine-tenths of rented farms are owned by nearby landlords, mostly ex-farmers themselves, and that about half of the tenants started as hired men. It appears also that in Iowa counties half of the tenants are near relatives of the landlords. In short farm tenancy in the United States is generally but a step towards ownership of the farm.[1]

Farming is under a cloud. Those interested might well read the 1927 publication of the "Business Men's Commission on Agriculture," a volunteer organization composed of eminent business men in the United States. Like all composite books this one is not very positive in its statements and is full of qualifications but it is highly intelligent and impartial and sweeps the field with masterly touch. It does not hesitate to criticise our present protective tariff as unfair to the farmer. A few extracts from it are given in the notes hereto.[1] The farmer is having a hard time of it. The price of what he sells goes down while the price of what he buys goes up. He contends with a scarcity and higher cost of labor, his children are going to the cities, his profits are less. And yet he has to replenish the cities. Wallace says the farms "are growing, training, educating, and turning over to the cities at working age from three hundred thousand to four hundred thousand young folks each year. The character-making years of these future citizens are spent on the farm. Physical qualities and mental and moral habits are largely formed there. Most of their education is acquired there. Hence the importance of conditions which will develop crops of children of the highest quality. . . . In view of the fact that about one-third of the farm children are delivered to the cities at maturity, the general public has a direct interest in seeing that they have strong bodies, clear minds, good character, and a serviceable education. Incidentally, it would be no more than fair if the cities should contribute a substantial amount to the maintenance of rural schools inasmuch as they get one-third of the product."[2] Huntington, however, states that in 1920, only 365,275 children were born in families engaged in farming, fishing, and lumbering.[3]

The farmer is not being fairly treated. He sells most of his great crops at European prices. A protective tariff on manufactures compels the farmer to pay exorbitant prices for what he buys. His income is taken from him to that extent. Except for this tariff he could buy imported goods and better goods for his money. Huge manufacturing industries have been built up and great cities abnormally crowded by this tariff stimulant at the expense of the country. If it be urged that protected manufacturing gives employment to labor the answer is that we have too many people in the cities already, and would be better off politically, economically and racially, if foreign countries were free to sell us manufactured goods which we cannot produce except at a loss, made up by a tariff which is practically a subsidy. We can afford to sacrifice artificial industry to do justice to the tiller of the soil. That which he earns in selling his cotton, wheat, corn, pork, and beef at prices governed by the markets of the world he should be allowed to expend on an equally free-trade basis. The protective tariff on the farmers' products is largely a farce. Most of our political and social troubles are due to over-stimulated manufacturing, and yet we increase them at the expense of the farmer and then we get frightened by the hordes of unassimilable city immigrants. The secret of the prosperity of the United States is the absolute free trade between the 48 states. Only from 10 to 15 per cent of American commerce is foreign. If all European nations (some 28 in number) had equal interstate free trade their prosperity would be equally great. Professor Burgess, who served in the Union army in the Civil War, dedicates one of his books: "To the memory of those brave and loyal men of Maryland, West Virginia, Kentucky, Tennessee and Missouri, whose fidelity to the Union during that terrible period of storm and stress from 1861 to 1865, under conditions which try and test the stoutest hearts and natures, contributed mightily to save this continent from dismemberment such as is the *plague and curse of Europe today.*"[1] Europe has about four million square miles;[2] the United States (exclusive of its outlying possessions) about three million.[3] America with international free trade would be more prosperous than ever. Manufacturers *do* compete but much of their products could be produced cheaper abroad. Why should the farmer pay higher prices to keep a domestic factory going? It is robbing Peter to enrich Paul. The advantage of enabling Paul to consume is silly.

High railroad rates based on high railroad wages, absorb another large portion of the farmers' products. The railroads don't care so long as they get the money and the government is afraid of the railroad unions. The farmers suffer and this cannot last. The farmer pays about $625,000,000 a year for freight charges, being about an eighth of the country's annual freight bill. This in some localities takes all of his income.[1] When hard times come again, as come they will, there will be a readjustment of railroad rates. If the farmers' organizations realized the situation, they would insist on consolidation of the railroads so that the farmers' shipping points might get lower rates, even though cities had to pay higher rates. This subject is considered elsewhere.*

And then there are the taxes. Federal taxation does not press heavily on the farmer, except indirectly through the tariff, but state and local taxation is a crushing burden. The general property tax on the farmers has grown from $308,000,000 in 1913 to $845,000,000 in 1923. The National Industrial Conference Board says, "The burden of taxation, as related to tax-paying capacity and with recognition of the comparative *quid pro quo* obtained, is heavier on agriculture than upon the rest of the nation's taxpayers combined." [2]

All sorts of schemes have been proposed to protect the farmers' selling prices by government action, one being that the government shall handle the farmers' surplus over and above domestic consumption. But world markets in food cannot be artificially controlled by the United States. Artificial raising of prices of manufactures by a tariff can, however, be controlled by abolishing that tariff. "Partial correction of the maladjustment of prices," Wallace writes, "can be accomplished only by repealing legislation that confers special favors on other groups or by granting similar legislative favors to agriculture. Such favors given in recent years to labor, to industry, and to the railroads have helped to maintain high wages, high industrial production costs, and high freight rates. They are an important cause of the present disparity between agricultural and industrial commodity prices."[1] This unfairness is accentuated still further by inflation, a dollar in gold being worth only about sixty-six cents in purchasing power compared with 1914. When the inequalities of the tariff and the inflation of currency have been corrected the farmer will come into his own and not till then. Professor East of Harvard says: "If comfort and satisfaction on the farm are not equivalent on the average to what is obtained in other walks of life, if agriculture is to be at the mercy of powerful industrial labor-unions directed by narrow, scheming opportunists, or stifled by the short-sighted greed of capital, this machine-made civilization of ours will shortly burst like a tree which is rotten at the heart."[2] And again, "No one who knows them [the farmers] doubts but that they will do it [*i.e.* adjust the burdens more equitably]. They will do it because they have a higher average intelligence than the city dweller, as shown by the army tests, even though it may be true that the highest type of mentality gravitates toward the city. The reason for their superior qualities seems to me to lie in the fact that the country population is a pretty high-grade stock taken as a whole. Of the 44 million people making up the white rural population in 1920, nearly 34 millions were native born of native parentage, and almost entirely Nordic. This is in marked contrast to the urban population, where there were only 24 million native whites of native parentage out of 50 millions."[3] Meantime, owing to the present disarranged and unbalanced prices, the farmers' children, of value beyond price and indispensable to the nation, are flowing to the cities. Sir Horace Plunkett, who lived for ten years in the West, pointed out that the salvation of American farmers will be in coöperative associations.[4] Those associations now number over 12,000 and sell about one-fifth of the farmers' products, but purchase only about 2 per cent of the farmers' purchases. They market chiefly grain, dairy products, fruits and vegetables, and live stock in the order named, and sold $2,200,000,000 of products in 1924.[5] President Coolidge in an address November 16, 1928, said that coöperative marketing — "a movement to unify all the agencies of production, distribution and consumption functioning as a co-ordinated whole to sell at the right place and the right time" — in the hands of the farmers themselves, was the most successful and sound method of meeting overproduction. He further said, "This movement toward co-operative marketing is still in its infancy. It has sometimes failed through lack of management, but it is sound in theory, and when conducted in a businesslike way offers the most promising solution to the great marketing problem."

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* See pp. 418, 420, *supra*.

The future, however, of the farmer is safe. That safety may be slow in coming but it will come. The principle enunciated by Malthus that population tends to exceed food production is now accepted by scientific economists, notwithstanding fierce opposition. American population will exceed its food production and then farming will again become attractive, because the world supply of food is limited. Nor is this so far away. In 1890 the supply of free fertile land in the United States was exhausted. Farms will rise in value and their products will produce that rise. Meantime, American farms will be made to produce more. At present, the soil is half tilled, a quarter fertilized, and not at all conserved. An astonishing comparison is shown in a table in the book "The Agricultural Problem in the United States," published in 1926.[1]

	Yield Per Acre (Bushels)		Plant Food (Pounds)
	Wheat	Potatoes	
United States	13.9	105.3	5.1
Holland	41.1	340.3	168.4
Denmark	39.0	241.4	14.6
Belgium	35.4	324.6	30.4
England	31.2	267.0	19.0
Germany	20.5	222.2	65.

Much is made of the fact that one man can now produce several times more on a farm than formerly. The simple answer to this is that an *acre of land* is steadily producing less food, and, the number of acres not changing, the food supply is less. Meantime the number of men farming is proportionately decreasing. If farming paid better more fertilizers and labor would be used. Men are more valuable on the farm than in the city, so far as American institutions are concerned. Similarly the country banker, who runs the town and stays put, is infinitely more valuable than the branch bank manager who is always looking cityward and is not wholly self-reliant.

Another thing. The exhaustion of the richness of American soil to sell vast food supplies to Europe is poor policy. That fertility can be restored only by expensive fertilizers later on, and meantime flood erosions wash the surface soil into the Mississippi.[1]

Roosevelt in his book on "The Foes of Our Own Household" says, "Our object must be (1) to make the tenant farmer a landowner; (2) to eliminate as far as possible the conditions which produce the shifting, seasonal, tramp type of labor, and to give the farm laborer a permanent status, a career as a farmer, for which his school education shall fit him, and which shall open to him the chance of in the end earning the ownership in fee of his own farm; (3) to secure coöperation among the small landowners, so that their energies shall produce the best possible results; (4) by progressive taxation or in other fashion to break up and prevent the formation of great landed estates, especially in so far as they consist of unused agricultural land; (5) to make capital available for the farmers, and thereby put them more on an equality with other men engaged in business; (6) to care for the woman on the farm as much as for the man, and to eliminate the conditions which now so often make her life one of gray and sterile drudgery; (7) to do this primarily through the farmer himself, but also, when necessary, by the use of the entire collective power of the people of the country; for the welfare of the farmer is the concern of all of us."[1]

The political control of the country really rests with the farmers and the small towns, if they knew it, and when it is generally realized that the principal evils of the state are found in the overgrown cities, East and West, and that those evils have been created or increased by favoritism in legislation for the benefit of those cities — an artificial stimulus — resulting in a feverish city life and a cramped country life, the laws will be changed. Hard times will come in the process, but hard times always have compensating benefits in bringing people back to earth again. A high protective tariff will be the first thing to go; then high railroad rates; then the wage domination by labor unions. The combination of capital and labor to maintain a high protective tariff contains seeds of dissension. The feeble effort of Congress to aid farmers by loans of money will give way to a policy of encouraging agriculture so that the farmer does not need to borrow money. Overproduction of food in an international sense never has existed and never will exist. Foreign nations today need and badly need all of our surplus food, but are handicapped by the high price. If our farmers were not in turn handicapped by high labor costs and by the decreased purchasing power of the dollar when they get it, food could be produced and exported at a reasonable price as in times past. Better this than raising the price of food still higher by decreasing farm production as advocated under the new theory of "balanced industry."

This building up of great cities at the expense of the country is a colossal mistake. It has created the evils which are a menace to American institutions. None of the dangers to the republic are due to the farmers. They are due to the cities where foreigners abound and classes clash and socialism thrives. In modern books on social problems it is astonishing how many pertain solely to the city worker and not at all to the farmers. Those who make the most noise and the greatest demands occupy the whole stage, even though they are but a small minority. The time has come to reverse the wheels of state and repeal all favoritism. Congress and the legislatures might well pay less attention to labor laws, reduced rent laws, and wage laws, under threats of strikes and stoppage of supplies, and pay more attention to the silent man who is trying to support a family on an American farm. "The city would have died out, rotted and exploded, long ago, but that it was reinforced from the fields. It is only country which came to town day before yesterday that is city and court today."[1] A monograph published by the Bureau of the Census in 1926 says: "There is a group made up of young men who seek the city because they feel that it offers greater opportunities — bigger and more remunerative tasks to be done. This group is very small in numbers but it includes a large proportion of the most enterprising and energetic of the country-born youth, in particular those who have in them the spirit of initiative. These are the ones the country and the farms can least afford to spare. By their going they often leave the country communities without competent leaders. And yet, because the country offers but meager opportunities and meager rewards for leadership, as compared with the modern city, one would hesitate to hold them back."[2] Fortunately the countryman has not turned over altogether his voting power to the great cities. Miller says, "New York City, with a big majority of the state's population, is still in a minority in both branches of the state legislature. Chicago is in exactly the same . . . condition. Connecticut has a country town of 257 souls equal with a city of 162,000 in the election of members to the lower branch of the legislature. New Jersey's populous cities are under the control of 'the yokels of the pine barrens.' Delaware and Maryland cities are delivered by old legislative apportionments into the hands of the back country; . . . in Rhode Island 17,807 people in the thirteen rural towns outvote more than half a million people in eleven cities."[3] The Constitution of New York State provides that "No county shall have more members of Assembly than a county having a greater number of inhabitants, excluding aliens."[1]

I read in many books that great changes are impending in American institutions and particularly as to the Constitution; that in some way government is to be used to bring about a more equitable distribution of wealth; that the economic system is to be revolutionized. All are very careful not to predict how. The cause of this turmoil is probably the great fortunes. It is overlooked that great fortunes melt away in the hands of descendants. It is overlooked also that abuses of wealth can be corrected without disturbing the foundations of our government. It is further overlooked that the controlling power in this nation is not labor, nor capital, nor city domination, but the farmers and the small towns. As stated above, nearly one-half of our people live on the farms or small towns of less than 2500 population. Those are conservative and safe. They can be relied upon to legislate against abuses. The important point here, however, is that the safety of this country lies in building up the farming community and in checking the cities by repealing discriminations in their favor. As Petrie, an English writer, says, in Rome "the first great step, which bore centuries of bitter results, was the favoring of the townsman as against the countryman. The voter in Rome could push laws to his own advantage in the hurly-burly of the public assembly, while the countryman was working hard in his furrow miles away. The conquered provinces were a great temptation; they had to yield tribute; grain came pouring into Rome, and why should not this abundance benefit the citizen by being sold at a low price? They forgot the countryman."[2] Sumner knew "The Forgotten Man" when he said: "'You will find him hard at work because he has a great many to support.' He is minding his own business, delving away in patient industry, 'paying his taxes, casting his vote, supporting the church and the school, reading his newspaper, and cheering for the politician of his admiration, but he is the only one for whom there is no provision in the great scramble and the big divide.' Weighed down with the cost and burden of all the schemes for making everybody happy, with the cost of all public beneficence, with the support of all the loafers, with the loss of all the economic quackery, with the cost of all the jobs, 'he is our productive force which we are wasting. Let us take some of the burden off him. Let us turn our pity on him instead of on the good-for-nothing. It will be only justice to him and society will greatly gain by it.'"[1]

CHAPTER XLI

THE LEADERS OF THE PEOPLE

A PEOPLE without leaders is like a ship without a compass.[1] The character of the leaders shows the character of the people and the character of the people is shown by the character of the leaders. The hereditary system changes all this and the worthless descendants of a worn-out aristocracy or monarchy deprive leadership of its value to the people.

In Rome the senators were a body of highly trained men and their leading spirits, the flower of her aristocracy, were for a long time controlled by patriotism, precedent, and inherited customs. Men of prominence, character, and ability rose from the ranks and became consuls, senators, and constitutional leaders. But there were finally six hundred or more of these senators and they were controlled by a faction of ex-consuls. It is true that by a law passed in 367 B.C. one of the two consuls had to be a plebeian, but the patricians continued to govern and control, and new men, however illustrious, were excluded, except on extraordinary occasions.[2] However, it was not a hereditary body at first. Lecky says of the Roman Senate, "It watched, as a supreme body, over the security of the State, and had even a right in time of great danger to suspend the laws and confer absolute powers on the consuls. Though it was essentially a patrician body, it was not, until a late period of the Empire, an hereditary body. One order of magistrates possessed as such the right of entering into it; the bulk of the senators were chosen for life, first by the consuls, and afterwards by the censors, but chosen only out of particular classes. In the earlier period they were exclusively patricians; but they were afterwards chosen from those who held magisterial functions, and, as the magistrates were elected by the whole people, though by a very unequal suffrage, the democratic influence thus obtained a real, though indirect, influence in the Senate."[1] But corruption, indolence, and unscrupulous ambition, with corruption of the people, destroyed good government. The republic could no longer govern Rome and its vast tributaries, and if the Cæsars had not prevailed Rome would have fallen to pieces and civilization put back hundreds of years. The republic had failed.

England has secured constitutional leaders by a highly educated class, actuated by a high sense of responsibility and a genuine spirit of patriotism. The English House of Lords has been hampered by superannuated noble houses, but it has been rejuvenated from year to year by promotion of commoners. It has not only regulated popular movements but has furnished statesmen, diplomats, and colonial governors. It has been based, however, on land and that basis is crumbling away under taxation. And so far as America is concerned there are no regrets. The English nobility as rulers of England did nothing for the American colonies; then they drove the Americans into rebellion in 1776; then they precipitated the war of 1812; then they sided with the South in the Rebellion of 1861.[2] *They* knew that the success of the great republic in America sounded the knell of aristocracy in England and all Europe. Morison says: "English Tories no longer regarded the United States as a jest, but as a menace to British institutions; there was grave danger lest the success of republicanism and the progress of democracy might delude the weak and wicked into a belief that such things might be in England. That uneasy feeling was largely responsible for the sneering strictures upon American life, character, and letters with which the *Edinburgh* and the *Quarterly* teemed during the years following 1815; an attitude which prevented the common ties of blood and language from having their natural effect. Many years were to elapse before the British and American people could feel a mutual esteem, and more must elapse before esteem develops into fraternity; but in 1815 they had at least learned the mutual respect that comes from measuring swords and exchanging broadsides."[1] Henry Adams says that "there is hardly an important state paper in the whole correspondence between England and America from 1806 to 1815, which, if addressed to the United States government to-day, would not lead to blows."[2]

But who is to lead in America? Great crises bring out great leaders, such as Washington and Lincoln, but it is the year-by-year leadership, always present, that molds and preserves a country's institutions. At the time of the Revolution the whole world, America included, was saturated with the idea that only the wealthy and well born were qualified to rule. Even in America the right to vote was limited to men of property and often also to members of a particular church. A practical aristocracy of some kind or other was deemed necessary in government. Lord points out that John Adams "was in no sense a democrat except in his recognition of popular political rights. He believed in the rule of character, as indicated by intellect and property."[3] John Jay often said, "Those who own the country ought to govern it."[4] Of Jefferson Lord says that "instead of an aristocracy of birth and wealth, he would build up one of virtue and talent."[5] Fiske correctly says that Edmund Burke and Alexander Hamilton and John Winthrop believed "that society is most prosperous when a select portion of the community governs the whole."[6] In other words, government by what was practically an aristocracy was almost universally deemed necessary to preserve the newly created American institutions. And such an aristocracy actually existed in the colonies; the old families in New England; the land owners and Dutch of New York; the Quakers of Philadelphia, and the coast planters of the South.

This aristocracy established American institutions and governed the country well, but gradually lost its power. Universal suffrage destroyed it in the North. In the West it never existed at all. Political offices no longer went to the wealthy and well born. The country changed, so that instead of its being ninety per cent agricultural, as in 1790, its manufacturing and mining industries became great producers of wealth and power. And yet American institutions have survived notwithstanding all the dire predictions.

The reason is first that the character and sentiments of the masses of the people favored a republic, and secondly that these masses had leaders largely from the legal profession. The public abuses the lawyers but trusts them absolutely and implicitly. This is due chiefly to the fact that the lawyers are recruited each year from the heart of the people. There is no primogeniture, no descent, no titles, no inherited power. By their origin, life, and characteristics they represent public sentiment and largely create it. Their power has already been explained elsewhere in this book and it is sufficient here to mention the fact that nearly all of our presidents have been lawyers. This is no coincidence. It is due to the fact that the legal profession has the qualities of governmental leadership, is trusted by the people, and is devoted to American institutions. There is no other way of explaining it. Hobson, an English writer, says, however, that "The evolution of democracy will continue to be mainly the politics of comparatively stupid people, driven by sound but ill-conceived motives to grope after collective advantage, capable of choosing leaders and policies less from a clear intellectual apprehension of their meaning and worth than by a sort of 'feel' which enables them to sift the better from the worse, a power more akin to art than to science."[1] However this may be in England, democracy in America has not lacked for leaders and has drawn those leaders chiefly from the legal profession. Plato's Republic had elaborate provisions for leaders but very few provisions for the plain people.[2] America draws most of its leaders from the plain people and trains them in the great law schools. Burke said the study of law "renders man acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources." [1]

This subject of leadership is worthy of attention. I believe that on the legal profession rests the responsibility for the future of America. Nowhere else does the necessary leadership exist, and leadership, based on training, character, and intelligence, will determine the future of the republic. The rapid rise of America to the primacy of the world; its vast wealth, power, and population; its problems of capital and labor; its expansion of governmental functions; its diversity of races; its determination to preserve American institutions — all demand leadership of the highest order, and that can be found only in the legal profession. Unless the law schools train their men for leaders, as West Point trains its men for officers, where are we to get them? In our Civil War the North had finally to fall back on West Point graduates to lead its armies. Today doctors, engineers, preachers, and business men may furnish an occasional leader, but even he is apt to rely on lawyers. In England for generations an aristocracy, born to rule, furnished leadership, and at times very bad leadership, but even that has largely passed away, except in the foreign department. We have great leaders in industry, trade, and finance — Napoleonic men of force, character, and brains — men known and recognized the world over as masterful men. But in other directions our leadership halts. The great prizes are in industry and trade and that accounts for much. But industry and trade will not always dominate and even now great wealth has not the glamour it had. We are entering a new era, requiring a new and higher kind of leadership, something more intellectual, less material, less selfish. Government, science, literature, art, all cry for leadership.

The problem of producing leaders is intensified by democracy and the discoveries of biology. It is a problem of the ages. From Plato's *Republic* to Carlyle's *Heroes and Hero Worship* is a far cry but the central idea of both was right, namely, that leaders are to be sought for, organized, fostered, followed, and favored by the social organism, as nature intended and insists upon in all organic life. Plato's plan was fantastic, impracticable, and impossible, but his general idea was right that leadership must be had. Carlyle went too far in attributing civilization to great men, but he too realized the necessity of leaders.

America may well take thought as to how to produce leaders. This at once raises the question whether the leaders come from the upper classes, the middle classes, or the lower classes. Do they come from the intellectual classes, or the rich, or the industrialists (bankers, traders, manufacturers, railroad men), or the clerks, or the laboring class, or from the farmers? Are they from the big cities or the little cities or the villages or the farms? There are all sorts of opinions. Some writers give figures showing that the chance of one of the laboring class rising to eminence is very small. They overlook the fact that the young laboring man often becomes a captain of industry and his son may become great in other directions. The whole subject is still a mystery. Of our two national heroes Washington was of aristocratic birth; Lincoln of lowly origin. Barker, an English writer, says: "It is perhaps arguable that the same distribution of pure and innate ability will be found among the children of any 1000 married men in the class of unskilled workers as among the children of any 1000 married men in the upper and middle classes. Pure and innate ability is not everything; and it does not at all follow that, even if the same degree of such ability is present at birth, the same results will follow. The children of one class have different environments from those of another; they have different educations; they have different opportunities, at the age of maturity, of entering into active life and following a definite career. It is still an unsolved question how much depends on pure and innate ability, and how much on environment, education, and opportunity; and though men speculate freely, the nature of their speculations is biased by the nature of their own training and the history of their own lives. If we assume (and it is very much of an assumption) that pure and innate ability is not unevenly distributed among the children of different classes, we may conclude that, if favourable environment and education, and some amount of opportunity, are ensured, many of the . . . children in the one class may contribute to the welfare of the community in the same way as the . . . children in the other."[1] Whetham, another English writer, says "the small number of men in each generation who reach eminence are drawn from all ranks of the community, and overcome with comparative ease all obstacles in their path."[2] Most decidedly is this so in America. Meantime, until proved to the contrary, the public will continue to believe that intellect and character are heritable if not always inherited; that races differ radically and intellectually by inheritance; that an intellectually inferior race will drag down an intellectually superior race if amalgamation takes place, and that this is due to the difference in blood and brain and not environment.

At present industry, banking, and trade absorb the leadership of the nation and even the legal profession is drawn into that vortex. As Whetham says: "For many years past, the great majority of the ablest, best bred, best educated men of the United States of America have found their natural sphere of activity in the business world, where their innate capacity for government has once more come to the front; until it is extremely doubtful whether the Senate of the United States and the political boss, representing the people, or the manipulators of the great Railroad and Trust companies, representing whatever exists of a hereditary governing class, are the true rulers of that land of freedom. We are apparently at the beginning of the same process in England."[3] Hope lies in the fact that wealth is diminishing as a social distinction, and the universities are teaching different and higher ideals. In fact, the future function of the university will be to train and furnish leaders, picked men, talented men,

men who have a sane idea of what life is for. The greatest need in America today is the training of experts and leaders; the development of principles and intellect in the young. They soon will have to seize the torch and carry it on.

Leadership rules the world. By leadership Washington won the Revolution. By leadership Lincoln won the Civil War. It was the *fetish* of the Old World that an aristocracy was necessary to furnish and reward leaders. It is a demonstration of the New World that nothing of the sort is necessary. The plain people have and can produce leaders equal to any emergency. The only doubt is whether the plain people will do so. So far they have when occasion has arisen. So long as that continues the Republic is safe.

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CHAPTER XLII

CONCLUSIONS

It is impossible to fathom the mystery of what Nature is striving to accomplish in this little world of ours. "Beneath a sable veil and shadows dim . . . the World's great Mind His secret hid doth keep."[1] Apparently Nature's purpose is to evolve a higher and higher type of man — a man of culture and with the cardinal virtues. And foremost in the process is good government. Let no one imagine that America is not contributing its full quota to civilization if it confines itself to perpetuating popular sovereignty and republican institutions. That is quite enough for one nation to do. And there is no higher constructive work in the growth of civilization than the establishment of correct principles of government. The form of the government of a people largely determines the career of that people. Arthur Young, a distinguished traveler and observer, said, over a hundred years ago, "The more one sees, the more I believe we shall be led to think that there is but one all-powerful cause that instigates mankind, and that is government. Others form exceptions and give shades of difference and distinction; but this acts with permanent and universal force."[2] In Greece pure democracy led to the wonderful achievements of Athens, but failure to combine Grecian cities led to their downfall. In Rome the republic gave law to the civilized world, but failure to adopt representative and federal principles led to Rome's downfall. England adopted the representative idea and built up a world-wide empire, but lost America, the best part of it, by failure to adopt the federal idea.

America for a hundred and forty years has been demonstrating that a republic, based on the combined federal and representative plan, is possible and safe. No greater contribution to civilization is possible. All of the creative ability of a people in every direction is released by a stable republican government. Justice itself, particularly international justice, grows under that system. Men are allowed to keep their own, and choose their career, and rise if they are able. It is enough for America to devote itself to working out the problems and meeting the dangers of the republican form of government. Materialistic success, wealth, power, population, and growth merely add to those problems and dangers. The safety of the republic is more important than all these. Under a free government civilization advances; under other forms of government it stagnates or recedes.

The degeneracy of the age is loudly proclaimed from the housetops and in books, the press, on the lecture platform, and in magazines. This may be true enough in a few great cities whence emanate most of these fulminations, especially New York City where over half of the adult men are foreign born and only twenty-one per cent of the entire population is of colonial descent. But back on the farms and in the small cities and towns in every state the true Americans are found and there the Calvinistic spirit dominates the daily life. There New England ideals and conscience permeate the people and he who thinks them less than their ancestors in the sterling qualities of men will find himself mistaken. Foreign races may temporarily dominate our great cities; alien ideas may prevail in some places; American institutions may be shaken by disorder and corruption; socialism may rear its hydra-headed front; the red flag may flaunt its anarchy; the Constitution may be assailed by demagogues; strange theories may have their vogue; pleasure and profit may usurp duty; a consuming passion for perfection may be called a Greek dream; conscience may be thrown into the discard, — all this may happen from time to time and here and there, but the principles and beliefs of the Pilgrim and Puritan still live. The cry of the old Stoic still thrills

> "Strengthen the wavering line,
> Stablish, continue our march,
> On, to the bound of the waste,
> On, to the city of God."[1]

There is no Appian Way to the safety of the republic. That safety depends on the character of the American people. If further immigration is prohibited except from kindred nations, and if immigrants now here but undesirable are encouraged to go back, the lowering of American character by lowering of the race will be averted. As to other dangers, all depends on the character of the American people and that is still sound. America swings wide but returns from afar. And the diffusion of knowledge of American institutions and the dangers thereto is the best safeguard of the republic. So long as the character and intelligence of the people are preserved, the republic is safe; when they are lost, all is lost. "*Nil desperandum*" says Horace — never despair.[2] Ideas move the world. When an idea becomes firmly implanted in the American mind it moves with the irresistible power of a glacier. It has been so with slavery, prohibition, the World War, immigration, equality of opportunity, the unity of the republic, and republican institutions themselves. The best political economy, the highest public service, is the care and culture of men.

Professor Munro of Harvard encourages us when he says, "Taking all things into account, the future in America does not seem clouded. There will be political changes, in the way of orderly evolution, adapting our scheme of government to new needs as they arise. There will be a continuance of the capitalistic system, so called, but with the wage earner steadily passing into the capitalist class. By heavier inheritance taxes and by surtaxes on large incomes there will be a restriction upon the accumulation of great fortunes. The middle class is likely to grow, while extremes in the economic scale are steadily diminished. The most serious danger in a democracy is the growth of a wide gulf between the rich on the one hand and the poor on the other. That danger, in America, seems steadily growing smaller."[1] And Professor Abbott of Harvard is equally strong in his opinion. He says, "Viewing the human scene as it presents itself in other lands, would any candid soul deny great measure of success to the United States? Not merely in size and wealth; not merely in territory and population; not merely, even, in the possibility of higher wages, and more comfortable existence; but in other and deeper qualities which make life worth while, this society has been successful. For, with all its grumbling and complaints, it probably contains as large a proportion of contented people as any nation in the world — and if this be failure, what is it to be counted as success in government or society; and whither shall we flee to find it?"[2] And it was Carl Schurz who said in 1859, "They speak of the greatness of the Roman Republic! Oh, sir, if I could call the proudest of Romans from his grave, I would take him by the hand and say to him, Look at this picture, and at this! The greatness of the Roman Republic consisted in its despotic rule over the world; the greatness of the American Republic consists in the secured right of man to govern himself. The dignity of the Roman citizen consisted in his exclusive privileges; the dignity of the American citizen consists in his holding the natural rights of his neighbor just as sacred as his own. The Roman Republic recognized and protected the *rights of the citizen*, at the same time disregarding and leaving unprotected the *rights of man;* Roman citizenship was founded upon monopoly, not upon the claims of human nature. What the citizen of Rome claimed for himself, he did not respect in others; his own greatness was his only object; his own liberty, as he regarded it, gave him the privilege to oppress his fellow-beings. His democracy, instead of elevating mankind to its own level, trampled the rights of man into the dust. The security of the Roman Republic, therefore, consisted in the power of the sword; the security of the American Republic rests in the equality of human rights! The Roman Republic perished by the sword; the American Republic will stand as long as the equality of human rights remains inviolate. Which of the two Republics is the greater — the Republic of the Roman, or the Republic of *man?*"[1]

NOTES

(for pp. 418–422)

p. 418, n. 1: It is but fair to state that railroad men claim that important cities are found on each of the five routes mentioned in the text, and as to roundabout routing they claim that this occurs infrequently, and as to the combined rate over two connecting railroads (referred to on p. 430 *supra*) railroad men claim that 83% of the traffic that goes in this way has a combined rate which is by and large as low as it would be if the roads were consolidated.

p. 419, n. 1: People *v.* Willcox, 207 N. Y. 86, 98, 99.

p. 420, n. 1: Research Reports No. 56, November, 1922, pp. 103, 104.

p. 422, n. 1: The Railway Gazette for March 10, 1928, said: "The original labor provisions creating a Railroad Labor Board seemed at first to provide the best means ever tried for settling disputes regarding wages and working conditions. They were broken down by efforts of both certain railways and labor unions to escape the jurisdiction of the Railroad Labor Board. The Watson-Parker Railway Labor Act was substituted for them after having received the support of the labor unions and most of the railways. Almost every arbitration under it has resulted in an award of higher wages. Wages have been increasing slowly but steadily ever since 1923. The advance in the average wage per hour between 1923 and 1927 made the pay roll last year at least $150,000,000 larger than it otherwise would have been and was one of the principal causes of the decline that occurred in the net return earned. Arbitration boards have continued up to the present time to award advances in wages in spite of declines that have been occurring in gross and net earnings for almost a year. Neither labor leaders nor most arbitrators seem to care much about the probable effects upon railway net return and development." In its issue of August 18, 1928, the same journal said of the present act of Congress on that subject: "There have been numerous arbitrations under that act since it was passed by Congress only two years ago with the support of all the railway labor organizations and a majority of the railways, and every one of them has resulted in an award of an advance in wages. Even the award which denied an advance to the conductors and trainmen in the road service of the western railways granted an advance to their yardmen."

p. 422, n. 2: Ex-President Hadley of Yale in an article on "Principles of Rate Regulation" in the Yale Review for April, 1927, does not clearly say that the "recapture" act of Congress should be repealed but he quite clearly thinks so and apparently he favors letting the railroads themselves control rates. His argument is that the railroads will improve the service and reduce rates in their own interest to increase traffic. But will they? They are interested greatly in increasing dividends, satisfying labor demands and making improvements, but are interested not at all in reducing rates, except where the traffic can be increased. It may safely be said that if again allowed to fix rates they would increase them. President Hadley goes too far. The "recapture" certainly *should* be repealed. It represses strong railroads and hence discourages growth. It is true that repeal might eliminate weak roads which could not compete but that is a beneficent law of trade and would lead to desirable consolidations. When, however, it comes to allowing the railroads to raise rates as they please (if that is President Hadley's idea) the public will not trust them and should not. To a railroad man public service is about fourth on the list of what he is there for, the other three being dividends, wages, and improvements. President Hadley makes references to the historic modifications of economic ideas as to what is the basis of value. That is interesting but that controversy pertains to goods; not to a natural monopoly, such as a railroad. *Public* control of rates is necessary in some form or other. President Hadley does not say clearly and definitely that the public should not control rates, but apparently that is his idea. If he does favor any public control of rates his article fails to point out how and how far.

The "recapture" act of Congress is based on physical valuation and if the latter is eliminated, as it should be (see pp. 430–436 *supra*), the "recapture" provision would disappear with it. In 1906 President Hadley said (Standards of Public Morality — 1908 — pp. 95, 96): "Personally, I am one of those who look with serious distrust on each extension of political activity. I believe that the interstate commerce law did more to prevent wise railroad regulation than any other event in the history of the country. I think that the courts would have dealt with our industrial problems better than they have done if the anti-trust act had never been passed. I have gravely doubted the wisdom of some of the more recent measures passed by the national government."

p. 423, n. 1: Yale Review for April, 1923, pp. 467, 468.

p. 424, n. 1: See New York Herald-Tribune, February 2, 1925.

p. 424, n. 2: See Our Economic and Other Problems by Otto H. Kahn (1920), pp. 74, 75.

p. 429, n. 1: Yale Review for April, 1923, p. 464.

p. 430, n. 1: President Coolidge in an address, October 23, 1924, said: "It has always been the theory of our institutions that the people should own the government and not that the government should own the people. James Otis stated this principle before the Revolution, when he said that 'kings were made for the people, and not the people for them.' This policy cannot be maintained unless the people continue to own and control their own property. The most important property of the country is transportation and water power. It is not only very large in amount, but is of the greatest strategic value. It could be used in such a way as to assume virtual control of all other business of any importance. It is proposed that these properties should be brought under public ownership. Responsible public commissions have valued these at about $35,000,000,000. Such a cost would more than double all our public debts. Any deficit in earnings would have to be made up out of taxes. We did that during the war at a cost of $1,600,000,000. With the government in possession of such a great engine, with two and three-quarters millions of employees, spending $9,000,000,000 or $10,000,000,000 each year, holding virtually the power of life and death, what chance would the rest of the people of this country have? It would appear to be perfectly obvious that if these properties are taken off the tax list by public ownership, the other property of the nation must pay their yearly tax of some $600,000,000. In the thinly settled agricultural regions this would make an increase of 30 or 40 per cent on local taxation.

"They have government ownership abroad. It takes 23 men in Germany to move a ton of freight one mile, 24 men in Italy, 31 in Switzerland. In the United States it takes only 5 men. It is interesting to note also that reduced to terms of bread and butter, railroad employees in these countries show weekly earnings of only about one-third of those in this country. Measured by our experience, by efficiency of service, by rate of wages paid, we have everything to lose and nothing to gain by public ownership. It would be a most perilous undertaking, both to the welfare of business and the independence of the people."

There is a widespread and probably well-grounded suspicion that the railroads celebrated the exit of government operation in 1920 by the greatest exhibition of inefficiency the world has ever known — as a warning to the country to try the experiment never again. The warning was effective.

Lord Bryce says: "It may therefore be conjectured that the railroad will long stand forth as a great and perplexing force in the economico-political life of the United States. It cannot be left to itself, — the most extreme advocate of *laissez faire* would not contend for that; for to leave it to itself would be to make it a tyrant. It cannot be absorbed and worked by the National Government, — only the most sanguine state socialist would propose to impose so terrible a strain on the virtue of American politicians, and so seriously to disturb the constitutional balance between the States and the Federal authority. Many experiments may be needed before the true mean course between these extremes is discovered. Meanwhile, the railroads illustrate two tendencies specially conspicuous in America, — the power of the principle of association, which makes commercial corporations, skilfully handled, formidable to individual men; and the way in which the principle of monarchy, banished from the field of government, creeps back again, and asserts its strength in the scarcely less momentous contests of industry and finance." Social Institutions of the United States by James Bryce (1892), pp. 44, 45.

p. 431, n. 1: Statistics of Railways in the U. S. for 1926, pp. XXVII, XXVIII.

p. 431, n. 2: *Id.*, p. XXXVII.

p. 431, n. 3: *Id.*, p. LXXVII.

p. 431, n. 4: Increased Rates, 58 Inter. Com. Com. Rep. 220.

p. 431, n. 5: *Id.*, pp. 228, 229.

p. 433, n. 1: Interstate Commerce Act, § 15a (4).

p. 433, n. 2: Smyth *v.* Ames, 169 U. S. 467 (1898).

p. 434, n. 1: Cook on Corporations, 7th ed., vol. 4, p. 3614 (1913).

p. 434, n. 2: Dayton-Goose Creek Ry. *v.* U. S., 263 U. S. 456, 481 (1924).

p. 437, n. 1: Our Debt and Duty to the Farmer by Henry C. Wallace (1925), pp. 189, 190.

p. 439, n. 1: Social Institutions of the United States by James Bryce (1892), p. 49. He also says (pp. 54, 55): "It can hardly be doubted that the pre-existing tendency to encounter risks and 'back one's opinion,' inborn in the Americans and fostered by the circumstances of their country, is further stimulated by the existence of so vast a number of joint-stock enterprises, and by the facilities they offer to the smallest capitalists. Similar facilities exist in the Old World; but few of the inhabitants of the Old World have yet learned how to use and abuse them. The Americans, quick at everything, have learned long ago. The habit of speculation is now a part of their character, and it increases that constitutional excitability and high nervous tension of which they are proud. Some may think that when the country fills up and settles down, and finds itself altogether under conditions more nearly resembling those of the Old World, these peculiarities will fade away. I doubt it. They seem to have already passed in the national fibre."

p. 440, n. 1: The Merchant of Venice by William Shakespeare, act. 4, sc. 1.

p. 442, n. 1: State *v.* Benson, 128 Atl. Rep. 107 (Del. 1924).

p. 442, n. 2: A caustic criticism of no-par-value stock and of *haute finance* generally, in concealing and mystifying stockholders as to the real value of their stock, and especially as to the insufficiency of prospectuses, corporate accounts, annual reports, and refusal to give information, is found in an article in The Atlantic Monthly for September, 1926, by Professor W. Z. Ripley, pp. 380–399. He says, "Almost immemorial custom, until recently, started off the corporation account from a given base, a set par value, which supposedly represented either the price at which the securities were sold or else the value of the property for which they were exchanged. But nowadays, under the prevailing practice that abolishes this par value, — permitting the issuance of stock, in most states, at no particular figure whatsoever, — good old-fashioned balance-sheet practice has been knocked galley-west. The accounts, instead of starting from a bench mark solidly established, — theoretically at least, — start from nowhere, and as certainly fetch up nowhere in particular. . . . The old-fashioned way was to accomplish such things by fictitious inflation of the assets on the balance sheet. The modern way is to bring them to pass by puncturing the liabilities. This used to be impossible, because capital stock had a fixed par value at which it went into the books. But capital stock with no par value under the laws of all but two of our states has no definable bottom. . . . Under the old-fashioned theory of capital stock with a definite par value, pranks enough and misfeasance a plenty played around the matter of surplus, also; but with the advent of no-par stock, so often accompanied by practical disappearance of any precisely defined capital fund or estate, the doors were thrown wide open to all sorts of shenanigan here as well" (pp. 391, 392). The preceding was repeated by Professor Ripley in his book "Main Street and Wall Street" (1927), pp. 194, 195, 199. In that book Professor Ripley also said (p. 46): "An egregious malversation of the rights of shareholders and of the public generally is entailed in the device of so-called no-par-capital stock. This expedient is handmaiden to a considerable shifty company in contributing to corporate obscuration and even to fraud. Without no-par stock some of the other innovations in corporate practice would lose much of their poignancy. By its aid a number of different elements contributory to a conspiracy against the interest of investors and of the public are welded together to form a substantial menace to sound corporate finance." He also said (p. 198) in regard to the annual report as to no-par-value stock in a large concern, "Being only an economist, I confess utter inability to unravel it. But of one thing I am certain. Every such account and every such audit is but another nail driven into the coffin of no-par stock, as administered under the lax laws of the chartermongering states!" He also says (p. 241): "Even the no-par stock idea has made but little progress among railroads; although it has swept the boards among industrial and other public utility corporations. Only three railroads, thus far, have been permitted to adopt it. I hold it to be a dangerous expedient for any corporation, to be regarded with distrust unless hedged about with many safeguards." He also says (p. 49): "As the wedge has little by little been driven home, it has become clear that the device is overflowing with possibilities of fraud and deception." As early as 1915 Professor Ripley in his Railroads; Finance and Reorganization, condemned no-par-value stock in the following language (p. 94): "The proposition to eliminate the par value of capital stock . . . seems to be open to serious objection . . . even when accompanied by the safeguard of full publicity. It would tend to release the promoter from positive responsibility for over-capitalization of an enterprize at the outset. There being no par value, there is no obligation to pay in any stated sum per share." Professor Hayes says: "In general, the no-par stock laws give an increased advantage to the corporation officials who wish to swindle the public." Our Economic System by H. Gordon Hayes (1928), Vol. 1, p. 219. The no-par-value stock statute originated in New York State; in New York State it originated in Wall Street; in Wall Street it originated with four corporation lawyers, including two Jewish and the accomplished counsel for Mr. Morgan. See printed proceedings of the New York State Bar Association, January, 1927, p. 267.

p. 443, n. 1: Nickel Plate Unification, 105 I. C. C. 425 (1926). (See also an article by William Z. Ripley in The Atlantic Monthly for January, 1926; also Professor Ripley's book "Main Street and Wall Street," ch. 4, pp. 78–117.)

p. 446, n. 1: Henry Watterson wrote of the elder Morgan: "Mr. Morgan . . . is the most world-famous colossus of contemporary fortune-builders. He strides the oceans and is equally at home in Rome and Berlin, in London, Paris and New York, a commanding personality and power in each of the political and commercial capitals. We take off our hats to Mr. Morgan; a truly eminent American, typical of the masterfulness of his race, the genius and prowess of his country; son of Junius Morgan, the brains of George Peabody, grandson of John Pierpont, Poet and Preacher, inheriting from the one the imagination to conceive, from the other the wisdom and daring to execute; beloved among bankers and welcome among Kings, having the most lordly spirit and the worst manners to be found anywhere betwixt Hell-for-Sartin and Kingdom-Come!" Editorials of Henry Watterson, compiled by Arthur Krock (1923), p. 305.

p. 446, n. 2: The New Frontier by Guy Emerson (1920), pp. 186, 187.

p. 448, n. 1: The Masters of Capital, A Chronicle of Wall Street by John Moody (1919), p. 179, being Vol. 41 of Chronicles of America.

p. 450, n. 1: The English figures are taken from a table published in the Statist of London in its issue of May 12, 1928.

p. 450, n. 2: The Act and previous Acts are given in full in Branch Banking in the United States by Shirley D. Southworth (1928), pp. 218–229 and is discussed by Mr. Southworth on pp. 178, 179.

p. 451, n. 1: Essay on Success by Ralph Waldo Emerson, quoting from a translation by Borrow from the Danish.

p. 452, n. 1: Barnes says: "We may scoff at the way women are doing the work, and reject the product, but that does not alter the fact that step by step women are taking over the field of liberal culture as opposed to the field of immediately productive work." Woman in Modern Society by Earl Barnes (1912), p. 86. Rousiers, a French writer, says: "The American wife has a very dignified position in a household; she is even exacting, is often willing to reduce her husband to the part of a little boy; sometimes objects to his smoking in her presence, and knows very well how to make her opinion prevail in any difference. She is a queen. This is true of all grades of society with modifying traits. . . . Her character is not that of an absolute monarch, and she respects her husband's independence in his own proper sphere, as he does her independence in her position. Each has a sphere of interests where he is master or she is mistress; the husband looks after his business in his own way, the wife directs household affairs as she wishes. Then each of these spheres are completely separated from each other." American Life by Paul de Rousiers (1892), pp. 277, 278.

p. 452, n. 2: Shakspere as a Playwright by Brander Matthews (1913), p. 380.

p. 452, n. 3: Heart of Emerson's Journals, edited by Bliss Perry (1926), p. 56.

p. 452, n. 4: Salvador de Madariaga, a Spanish writer, in an article in Harper's Magazine for July, 1928, on "Americans are Boys," says as to America: "See the place which woman occupies in her life. The Boys have hoisted her on to a pedestal of admiration. Her power and privileges flow from the position she occupies as an idealized type of humanity. In her youth, the inspirer, in her maturer years, the leader of men. First, the sweetheart of the nation, then her aunt, woman governs America because America is a land of boys who refuse to grow up. She it is who rises to the activities reserved for grown-up people: general ideas, aesthetic enjoyment, culture, understanding of the world. The Boys around her live a life of fun and activity, caught in the 'behaviorism' of club and school standards which they scrupulously respect, faithful to tradition and to a collective earth which their inexperienced minds are afraid to leave. She dares explore the Heaven and Hell of individualism, the wider responsibilities of thought, and the wider liberties of experience. The Boys look up to her — her beauty, first, then her intelligence, her culture, her wisdom. As the sweetheart of the nation, she keeps the Boys happy and healthy with her affection; as the nation's aunt, she made up her mind the Boys were not to drink, and the Boys are dry. Not that they like it over much, but, when asked, they sigh first, smile afterwards, cast a side glance at *Her* and concede, 'We are better off as it is.' . . . Even now there are in America living witnesses of the spiritual power which she has in store. Her highest achievements are not her mighty factories — toys and toy-making, after all — nor her skyscrapers — toys, again — but the charm of some of her women. A charm which, indefinable as it is, independent of sex and age, is a definite spiritual wealth, a recognizable flower of life. It may be argued that of such women there are only a few. Of course. A woman of charm is as rare as a man of genius. But when a country gives forth a man of genius, she proves her worth for all time. And when a country is sprinkled with women of charm she proves that a life is in her which may yet make the world open its eyes and wonder."

p. 453, n. 1: The American Scene by Henry James (1907), p. 62.

p. 453, n. 2: *Id.*, pp. 336–339.

p. 454, n. 1: Essays, Moral, Political, and Literary by David Hume (1742–1907 edition), Vol. 1, p. 233.

p. 454, n. 2: A crusty old English widower in the Colonies in 1647 quoted the following:

"The world is full of care, much like unto a bubble:
Women and care, and care and women, and women and care and trouble."

Harper's Literary Museum, compiled by Ola Elizabeth Winslow (1927): From Nathaniel Ward's The Simple Cobler of Aggawamm, p. 187.

p. 454, n. 3: For instances see The Truth about Woman by C. Gasquoine Hartley (Mrs. Walter M. Gallichan), 2nd ed. (1913). As to the status of women in Egypt, "The security of her proprietary rights made the Egyptian woman the legal head of the household" (p. 180). In Babylon "There are . . . traces all pointing to the conclusion that in the civilization of primitive Babylon mother-right was still very much alive" (p. 201). As to the "matriarchal family" in India, Australia and other countries, see pp. 142–155. As to the same among the American Indians, see pp. 131–142. Eastman says of the North American Indians, "The mother was the head of the family, and nothing of importance was determined upon without her approval. Women were admitted to the society of the 'medicine-lodge' on equal terms, and sometimes invited to a seat in the council. Some tribes had female chiefs." Papers on Inter-Racial Problems, edited by G. Spiller (1911): The North American Indian by Charles Alex Eastman, pp. 372, 373. "Strangely enough, among the Iroquois the women had the sole right to declare war. They also had the right of adoption; that is, to decide the fate of captives in war. Female chiefs were met with a few times by Europeans." History of Nations Series, Vol. 26: The United States by James Wilford Garner and Henry Cabot Lodge (1906), Vol. 1, p. 13. Sumner and Keller in their Science of Society (1927) give many instances of "matrilineal descent" in all parts of the world in ancient and even modern times in Vol. 4, §§416, 417, pp. 1090–1104. They say, "One of the latest discoveries . . . is that the Teutons, before they reached the stage of paternal right, passed through a stage of maternal right" (p. 1104). The subject of "Women as Rulers" is considered in Vol. 4, pp. 207–210. "As keeper of the cave, cultivator of the soil, and guardian of the child, woman, rather than her more foot-loose mate, probably became the center of the earliest civilization. The jealousy of men formed tribal rules for her protection; and to these, religion early gave its powerful sanctions. Thus there came a day when the woman took her mate home to her tribe and gave her children her own name. Even if the matriarchal period was not so important as has sometimes been assumed, woman certainly had large influence over tribal affairs in early savage life." Woman in Modern Society by Earl Barnes (1912), pp. 34, 35.

p. 454, n. 4: French Ways and Their Meaning by Edith Wharton (1919), p. 111. She also says: "The long hypocrisy which Puritan England handed on to America concerning the danger of frank and free social relations between men and women has done more than anything else to retard real civilisation in America." *Id.*, p. 113.

p. 455, n. 1: Quoted in French and English, a Comparison by Philip Gilbert Hamerton (1889), p. 127.

p. 456, n. 1: Professor Hocking of Harvard in Man and the State (1926), p. 168, n. 10 says: "Women are less fit than men for political leadership. They are not less likely to be right in their judgment of a given issue, experience being equivalent; but since their genius is to see at once the individual aspects of any situation, they have little patience or capacity for the slower processes through commonly understood abstractions, conventional and legal ways of thinking, which alone can pave the way for common action. Women are not at their best in regimented movements of body or of thought; nor are they at home in the art of regimenting mankind."

p. 456, n. 2: Vital Forces in Current Events, edited by Morris E. Speare and Walter B. Norris (1920): Essay on Women in Politics — A Chance for Broader Education by Helen Taft, p. 174.

p. 457, n. 1: *Id.*, p. 171.

p. 458, n. 1: The America of Today, edited by Gaillard Lapsley (1919): Lecture on The Position of Women by Mrs. Bowlker, p. 238.

p. 459, n. 1: Social Institutions of the United States by James Bryce (1892), pp. 143, 145, 146.

p. 459, n. 2: A Modern Outlook — Studies of English and American Tendencies by J. A. Hobson (1910), p. 179.

p. 460, n. 1: Recent Developments in European Thought, Unity Series edited by F. S. Marvin (1920): Essay on The Modern Renascence by F. Melian Stawell, p. 304.

p. 460, n. 2: Hart says, "Above union, and above the development of the fittest, stands the ideal most important for democracy, that of finding and following leaders. Americans love an honest man, and that means not only one who does not steal, but the consistent and candid statesman, who can disagree with public opinion if necessary, and whose policy is open, aboveboard, and free from secret ties. Americans love a man of courage, who has positive opinions and adheres to them, who can resist pressure; they would rather have obstinacy than a facile will; they want a man who can stand against influence, abuse, and misrepresentation. Americans love a belligerent leader, because they believe that the forces of evil are belligerent and tenacious. They want a leader of constructive power, who can draft legislation and force it through by the weight of his will, backed up by public sentiment. Such a man, whether mayor, governor, cabinet officer, or president, has the enthusiastic confidence, the vital support, and the personal affection of his countrymen." Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The Hope of Democracy by Albert Bushnell Hart, p. 375.

p. 461, n. 1: See Social Life in Old New England by Mary C. Crawford (1914), p. 17.

p. 461, n. 2: Measure for Measure by William Shakespeare, Act IV., Sc. I: also in Bloody Brother by Beaumont and Fletcher, Act. 5, Sc. 2. It is not known who originated these lines but Emerson says (Concord Ed., Vol. I, p. 411, note), "Beaumont, nor Fletcher, nor both together were ever, I think, visited by such a starry gleam as that stanza."

p. 461, n. 3: The slow establishment of marriage and the slower emancipation and growth of respect for women are set forth in The Family as a Social and Educational Institution by Willystine Goodsell (1926), pp. 6–31.

A still more complete treatment of the subject is given in The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. 3, §§ 331–433.

p. 462, n. 1: Marriage and the relation of the sexes is a very active subject of discussion in America today. Such books as Judge Lindsey's Revolt of Modern Youth (1925) have reopened the whole subject and while Lindsey says (p. 168) that he regards marriage as a necessity not to be abolished, yet he favors alterations, and while he doesn't "pretend to say" what the alterations should be, yet he says (p. 169) it is a fair question whether "trial marriage" and "the right of competent, unmarried women to bear, rear and support children out of wedlock if they wish," will "work or not," and he claims that these departures from the present-day marriage code are now being practiced anyway by many persons (p. 170). The answer to this is that if they partake of forbidden fruit they may be banished from the Garden of Eden, *i.e.*, the social world, to reënter which is more difficult for the woman than for the man, because the identity of the father of a child is not a self-evident fact, and hence standards are different. A sane review and discussion of the subject is found in The Family as a Social and Educational Institution by Willystine Goodsell (1926), pp. 497–550. An English writer (Anthony M. Ludovici in a Defence of Aristocracy — 1915 — pp. 202, 203) says as to unwedded unions, "In many villages in France, as also in England, I have myself observed how beneficently the stern morals of a small and limited community solve this sex problem for themselves . . .; non-promiscuous sexual intercourse between couples is tolerated, long before marriage is a possible consideration. The public opinion of the community, however, is powerful enough to keep the man to his bargain, and the few irresponsible men who always must appear, are ostracised. It is not unusual, for instance, in some parts of Picardy, for a bride-mother to stand before Monsieur le Maire at her marriage ceremony, with her two children, four and two years old — standing behind and witnessing the whole affair. This is not immoral; it is eminently practical and proper. . . . But what are the pre-requisites to such a scheme of sexual morality? The pre-requisites are two things . . .: a small village community where public opinion counts for something, and where, alone, public opinion *can* exercise discipline; and a stable population, which is not constantly tossed from one place to another, here to-day and a hundred miles away to-morrow. In the large towns . . . such a code of sexual morality is quite impossible. In such places public opinion is too vast and too heterogeneous to be concentrated on one particular point or quarter, and the population is too fluid for ostracism to be any hardship." A caustic and yet convincing argument against trial marriages (which he considers as only one phase of "free love") is found in The Conservation of the Family by Paul Popenoe (1926), pp. 13–15. On the other hand, Carson says that George Meredith, Mrs. Elsie Clews Parsons, Sarah Bernhardt and Havelock Ellis favored trial marriages. The Marriage Revolt by William E. Carson (1915), pp. 411, 412, 425.

p. 462, n. 2: Essay on Montaigne, the Skeptic, by Ralph Waldo Emerson.

p. 462, n. 3: As long ago as the Trojan War Achilles said every wise and noble man cherishes his wife; and much enduring and many sided Ulysses said "Nothing is better or more conducive to prosperity than that husband and wife should live together in concord." (Quoted in Folkways by William G. Sumner — 1907 — p. 364.) Professor Sumner discusses the relations past and present of the sexes (pp. 342–394), and of marriage as an institution regulating the relations of the sexes and of the children (pp. 395–416). He expresses doubts as to the future but nowhere suggests Trial Marriage or Companionate Marriage or Unmarried Maternity as worthy of experiment. So much for the so-called middle classes. When we come to the working classes the problem does not exist. Domestic economy and the need of a home compel the working classes to rely on marriage as the only possible solution of daily life.

p. 463, n. 1: Social Heredity and Social Evolution by Herbert William Conn (1914), pp. 136, 137.

p. 464, n. 1: Temporary marriages exist in China, Japan, Korea and existed in ancient Arabia (See Folkways by William G. Sumner — 1907 — p. 375), but are we prepared to follow them? Professor Paul Vinogradoff wrote (The Legacy of the Middle Ages, edited by C. G. Crump and E. F. Jacob — 1926: Essay on Customary Law, pp. 292, 293): "Traces of Celtic and pre-Celtic (Iberian) customs are also frequent. We may note among them the practice of marriages concluded for a year and a day, of which there is particularly graphic evidence from Ireland. The 'coibche' unions were celebrated amid great rejoicings at public festivals (Leinster custom). They were consolidated as permanent marriages after the birth of children or in case of pregnancy. Such trial unions are not unknown even at the present time in certain outlying districts of Bavaria and Central Germany." See also The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), § 365, p. 1681.

p. 465, n. 1: Essay on Civilization by Ralph Waldo Emerson.

p. 465, n. 2: Towards the Open by Henry Chester Tracy (1927), p. 111.

p. 467, n. 1: Social Heredity and Social Evolution by Herbert William Conn (1914), pp. 142–145. Popenoe says: "The family is, in fact, the oldest institution in existence. So far as one can guess intelligently, it has changed surprisingly little in 500,000 years. Often called the foundation of society, it justifies this name by the contributions it makes to (1) the perpetuation of the race, (2) the security of the state, (3) the happiness of the individual, (4) the education of the population, and by economic, social, religious, psychological, hygienic, esthetic, and other contributions that have varied with different ages but are always important. In the face of all this, it might seem that the family is the one indispensable institution without which civilization cannot proceed; and in the face of its history, it would be surprising if the changes in the form of civilization during the last four or five generations had so altered the human race as to make the family no longer a necessary institution. Compared with the family, all other social and economic institutions are recent. None of them has been subjected to experiment and selection, none of them has been validated by the results of this experiment and selection, to anything like the same degree that the family has. The monogamous family may therefore be expected, *a priori*, to be much more stable and permanent than any other existing human institution." The Conservation of the Family by Paul Popenoe (1926), p. 8; also pp. 39–44 on the family generally. Companionate marriages are more dangerous than irregular relations because the latter are concealed while the former may be made respectable enough to displace the family.

p. 468, n. 1: The Soul of Woman by Gino Lombroso (1923), p. 262.

p. 468, n. 2: *Id.*, pp. 5, 6, 46, 47.

p. 468, n. 3: *Id.*, pp. 55, 112.

p. 469, n. 1: *Id.*, pp. 91, 130, 131.

p. 470, n. 1: The Truth about Woman by C. Gasquoine Hartley (Mrs. Walter M. Gallichan), 2nd ed. (1913), pp. 294, 296, 308–310.

p. 470, n. 2: Lecture on Woman (1855) by Ralph Waldo Emerson. In the Notes it is stated that on the manuscript of this address Emerson had written in pencil: "The distinctions of the mind of Woman we all recognize; their affectionate, sympathetic, religious, oracular nature; their swifter and finer perceptions; their taste, or love of order and beauty, influencing or creating manners. We commonly say, Man represents Intellect; and Woman, Love. Man looks for hard truth. Woman, with her affection for goodness, benefit. Hence they are religious."

p. 471, n. 1: Munroe, a Massachusetts writer, says (The New England Conscience by James P. Munroe (1915), pp. 196, 198, 200): "As the possessor of this priceless power of the eternal feminine, this power which inspires and preserves most of what is best in humankind, woman, without flattery, is unquestionably the superior of man and is the predominant force in compelling the upward and onward progress of the world. . . . The heart of that little world in which men and women are to be trained for the great world, the headmistress of this school of the home, which, from the ethical and spiritual standpoint, signifies more to the growing child than all the public institutions of learning ever created, the power which, from thence, literally and in the best sense rules the destinies of mankind, is she who keeps the home, determines its atmosphere, and directs its energies." He also says, "The so-called subjection (though it is actually the elevation) of woman is rooted in reasons much deeper than those of her physical weakness and the selfishness of men. She suffers for sinning as no man is made to suffer in order that she may be forced to set high standards of morality, — standards to which all society is slowly but continuously rising. She is made comparatively weak and dependent in order that there must be a home to shelter her, that home which, as a moral microcosm, is the fundamental unit of society and the essential school of individual virtue. She is subject to centuries-old conventions in order that she may be kept enough apart from man for the element of glamor, of worship, of aspiration to be worthy of her, to enter into a youth's relations with the other sex. Finally, she is tied to her children in order that, in the long years of that blessed servitude, she may infuse into them, both boys and girls, that elixir of the eternal feminine which is the inspirer and the conserver of those eternal hopes, faiths, and uplifting illusions which carry mankind ever nearer to the Everlasting Good."

p. 471, n. 2: The origin of that beautiful line is not so beautiful as the line itself. It is from Martial, the Latin writer (40 A.D. to 104 A.D.), who, being snubbed by one of his numerous and importunate creditors, wrote

"I always greet you, but you never greet me
When we meet at a house or a store.
Since I get no reply,
Let me wish you good-bye,
Till we meet — on that beautiful shore."

See Martial and the Modern Epigram (1927), p. 43 by Paul Nixon, being Vol. 18 of "Our Debt to Greece and Rome."

p. 472, n. 1: Democracy in America by Alexis De Tocqueville (1863), p. 352.

p. 472, n. 2: A book by Edmond Demolins in 1898 states that of the 551 members of the French Chamber of Deputies over 300 were probably law graduates and that of this number 133 were lawyers, 6 law professors, besides 95 officials, most of whom were lawyers. He says the lawyers "are the real masters of the national representation, the real masters of France." He states that of the 583 members of the English House of Commons 107 were from the liberal professions, which includes journalists, physicians, teachers, and civil engineers as well as lawyers. Anglo-Saxon Superiority, pp. 206, 208, 209, 224, 229. Lord Chancellor Haldane in an address before the American Bar Association at Montreal on September 1st, 1913, said: "It is very striking to the observer to see how many of the names of those who have controlled the currents of public opinion in the United States and Canada alike have been the names of famous lawyers. I think this has been so partly because the tradition and spirit of the law were always what I have described, and different from that on the Continent of Europe. But it has also been so because, in consequence of that tradition and spirit, the vocation of the lawyer has not, as on the Continent of Europe, been that of a segregated profession of interpreters, but a vocation which has placed him at the very heart of affairs. In the United Kingdom this has happened in the same fashion, yet hardly to so great an extent, because there has been competition of other and powerful classes whose tradition has been to devote their lives to a Parliamentary career." See Higher Nationality by Viscount Haldane of Cloan (1913), p. 18. For nearly a hundred years in England no lawyer was premier, prime minister at the head of the government. Percival, a practicing lawyer, ceased to be premier in 1812. Asquith, another practicing lawyer, became premier in 1908. In his cabinet were six other practicing lawyers, including Lloyd-George, who afterwards became premier himself. Baldwin is not a lawyer. The chief reason for all this is that England has an aristocracy which lives largely to control public office and political power. In America there is no aristocracy and moreover constitutional questions exist which do not exist in England where no constitution restrains Parliament. No one but a lawyer can thoroughly understand the distribution of sovereign powers between the federal government and the states, nor the constitutional limitations on the powers of both the federal and state governments. Those limitations affect a large part of federal and state legislation.

p. 473, n. 1: Address by United States Senator Hoar of Massachusetts before the Virginia State Bar Association in July, 1898, p. 13.

p. 473, n. 2: Compendious History of New England by John G. Palfrey (1873), Vol. IV, p. 318.

p. 473, n. 3: History of the United States by Henry Adams (1889–1917), Vol. 2, p. 244.

p. 474, n. 1: Quoted in Constructive Citizenship by L. P. Jacks (1928), p. 300.

p. 474, n. 2: Democracy in America by Alexis De Tocqueville (1863), pp. 352, 353. Captain Marryat, after a tour of America in 1837, wrote:

"The lawyers are the real aristocracy of America; they comprehend nearly the whole of the gentility, talent, and liberal information of the Union. Any one who has had the pleasure of being at one of their meetings, such as the Kent Club at New York, would be satisfied that there is no want of gentlemen with enlightened, liberal ideas in the United States; but it is to the law, the navy, and the army, that you must chiefly look for this class of people. Such must ever be the case in a democracy, where the mass are to be led; the knowledge of the laws of the country, and the habit of public speaking being essential to those who would reside at the helm or assist in the evolutions: the consequence has been, that in every era of the Union, the lawyers have always been the most prominent actors; and it may be added that they ever will play the most distinguished parts." Marryat's Diary in America (1839), pp. 230, 231.

p. 475, n. 1: Macaulay's Life and Letters by Sir George Trevelyan (1909), Vol. 2, Appendices, p. 453.

p. 475, n. 2: Essay on Mill on Government by Lord Thomas B. Macaulay, Complete Works, Whitehall edition, Essays, Vol. 1, pp. 391, 390. Quoted also in part in The Republican Tradition in Europe by H. A. L. Fisher (1911), p. 325. The conclusion of this latter book (p. 320) that "There can be little question that since 1870 the cause of Republicanism has made no substantial progress in Europe" may have been true in 1910 but is true no longer since the World War.

p. 475, n. 3: Acton's review of J. Franck Bright's History of England (1888), republished in Historical Essays and Studies by John E. Acton (1908), p. 482.

p. 476, n. 1: See an article by the author on Legal Research in American Bar Association Journal for May, 1927. Legal research is to study and state the law; also to study and state the influences which are changing and should change the law.

p. 477, n. 1: The Privileged Classes by Professor Barrett Wendell (1908), p. 152.

p. 477, n. 2: English Traits — Wealth by Ralph Waldo Emerson.

p. 477, n. 3: Nationality and Race by Arthur Keith (1919), p. 5.

p. 477, n. 4: Arguments and Addresses of Joseph Hodges Choate, collected and edited by Frederick C. Hicks (1926): Address on Our Profession delivered before the Chicago Bar Association, February 4, 1898.

p. 477, n. 5: Sumner, who was a professor at Yale practically all of his life, gives a vigorous description of the characteristics of professors generally. See William Graham Sumner by Harris E. Starr (1925), pp. 334, 335.

p. 478, n. 1: Lord Bryce says "that both in Congress and in most of the

State legislatures the lawyers outnumber the persons belonging to other walks of life. Nevertheless, they have not that hold on politics now which they had in the first and second generations of the Republic. Politics have, in falling so completely into the hands of party organizations, become more distinctly a separate profession, and an engrossing profession, which a man occupied with his clients cannot follow. Thus among the leading lawyers, the men who win wealth and honor by advocacy, comparatively few enter a legislative body or become candidates for public office. Their influence is still great when any question arises on which the profession, or the more respectable part of it, stand together. Many bad measures have been defeated in State legislatures by the action of the Bar, many bad judicial appointments averted. Their influence strengthens the respect of the people for the Constitution, and is felt by the judges when they are called to deal with constitutional questions. But taking a general survey of the facts of to-day, as compared with those of sixty years ago, it is clear that the Bar counts for less as a guiding and restraining power, tempering the crudity or haste of democracy by its attachment to rule and precedent, than it did then." Social Institutions of the United States by James Bryce (1892), pp. 11, 12.

p. 478, n. 2: The author's views on this subject are given more fully in an article published in the American Bar Association Journal for November, 1922, entitled Power and Responsibility of the American Bar.

p. 479, n. 1: Emerson on his trip to Europe in 1848 in a talk with Carlyle said, "I told Carlyle that I was easily dazzled, and was accustomed to concede readily all that an Englishman would ask; I saw everywhere in the country proofs of sense and spirit, and success of every sort: I like the people; they are as good as they are handsome; but meantime, I surely know that as soon as I return to Massachusetts I shall lapse at once into the feeling, which the geography of America inevitably inspires, that we play the game with immense advantage; that there and not here is the seat and centre of the British race; and that no skill or activity can long compete with the prodigious natural advantages of that country, in the hands of the same race; and that England, an old and exhausted island, must one day be contented, like other parents, to be strong only in her children. But this was a proposition which no Englishman of whatever condition can easily entertain." (Emerson on "Stonehenge.") In a note to this it appears that in 1856 Emerson wrote, "We read without pain what the English say to the advantage of England to the disparagement of America; for are not we the heir?"

The English fashion of criticising everything American began as early as

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1623. Governor Bradford, three years after Plymouth Colony was founded, made the following answers to statements against that Colony. The Governor later wrote that the answers "did so confound the objecters, as some confessed their falte, and others deneyed what they had said, and eate their words, and some others of them have since come over againe and heere lived to convince them selves sufficiently, both in their owne and other mens judgments.

"1. obj: was diversitie aboute Religion. Ans: We know no such matter, for here was never any controversie or opposition, either publicke or private, (to our knowledg), since we came.

"2. ob: Neglecte of familie duties, one the Lords day.

"Ans: We allow no such thing, but blame it in our selves and others; and they that thus reporte it, should have shewed their Christian love the more if they had in love tould the offenders of it, rather then thus to reproach them behind their baks. But (to say no more) we wish them selves had given better example.

"3. ob: Wante of both the sacrements.

"Ans. The more is our greefe, that our pastor is kept from us, by whom we might injoye them; for we used to have the Lords Supper every Saboth, and baptisme as often as ther was occasion of children to baptise.

"4. ob: Children not catechised nor taught to read.

"Ans: Neither is true; for diverse take pains with their owne as they can; indeede, we have no commone schoole for want of a fitt person, or hithertoo means to maintaine one; though we desire now to begine.

"5. ob: Many of the perticuler [on their own account] members of the plantation will not work for the generall.

"Ans: This allso is not wholy true; for though some doe it not willingly, and other not honestly, yet all doe it; and he that doth worst gets his owne food and something besids. But we will not excuse them, but labour to reforme them the best we cane, or else to quitte the plantation of them.

"6. ob: The water is not wholesome.

"Ans: If they mean, not as wholsome as the good beere and wine in London, (which they so dearly love,) we will not dispute with them; but els, for water, it is as good as any in the world, (for ought we knowe,) and it is wholsome enough to us that can be contente therwith.

"7. ob: The ground is barren and doth bear no grasse.

"Ans: It is hear (as in all places) some better and some worse; and if they well consider their woods, in England they shall not find such grasse in them, as in their feelds and meadows. The catle find grasse, for they are as fatt as need be; we wish we had but one for every hundred that hear is grase to keep. Indeed, this objection, as some other, are ridiculous to all here which see and know the contrary.

"8. ob: The fish will not take salt to keepe sweete.

"Ans: This is as true as that which was written, that ther is scarce a foule to be seene or a fish to be taken. Things likly to be true in a cuntrie wher so many sayle of ships come yearly a fishing; they might as well say, there can no aile or beere in London be kept from sowering.

"9. ob: Many of them are theevish and steale on from an other.

"Ans: Would London had been free from that crime, then we should not have been trobled with these here; it is well knowne sundrie have smarted well for it, and so are the rest like to doe, if they be taken.

"10. ob: The countrie is annoyed with foxes and woules [wolves].

"Ans: So are many other good cuntries too; but poyson, traps, and other such means will help to destroy them.

"11. ob: The Dutch are planted nere Hudsons Bay, and are likely to over throw the trade.

"Ans: They will come and plante in these parts, also, if we and others doe not, but goe home and leave it to them. We rather commend them, then condemne them for it.

"12. ob: The people are much anoyed with muskeetoes.

"Ans: They are too delicate and unfitte to begine new-plantations and collonies, that cannot enduer the biting of a muskeeto; we would wish such to keepe at home till at least they be muskeeto proofe. Yet this place is as free as any, and experience teacheth that the more the land is tild, and the woods cut downe, the fewer there will be, and in the end scarse any at all."

Harper's Literary Museum, compiled by Ola Elizabeth Winslow (1927), pp. 18–21.

The Governor was quite a natural lawyer.

p. 479, n. 2: Environment and Race by Griffith Taylor (1927), p. 314.

p. 479, n. 3: Jefferson by Albert Jay Nock (1926), p. 110. The Adams family has always been intensely patriotic and absolutely honest. They have had no illusions and have a positive literary genius for plainly stating disagreeable facts for the good of the public. This is their record for a hundred and fifty years.

p. 479, n. 4: It was not cotton but wheat that carried the day. Fite says: "Did Northern wheat prevent British recognition of the Confederacy? It certainly contributed to this result. The leading foreign granaries for Great Britain were the United States, Russia, Prussia, and France, and in the hour of need only one of these responded. The American harvests were large in every one of England's three years of scarcity, while, on the other hand, French shipments to England actually fell off, and those from Germany and Russia remained stationary. If, when the Southern ports were first blockaded, her Majesty had made a forcible attempt to get American cotton out of the Confederacy, she would have offended the United States and by the resulting war have cut off the importations of American wheat at a time when America was the only country that had grain to spare. The next year there was still little to spare on the Continent, while the United States had a record crop and England was still short. For England to fight the United States at this time was to invite hardship. In the subsequent years, with the improved English crops, there was still need of foreign grain, but the European granaries were threatened by general war over Poland in the one year and over Schleswig-Holstein in the other; if in these two years the queen had interfered for the Confederacy, and thus definitely cut off the American grain shipments, it was a question where her country could obtain the grain previously supplied by America. The Continental supply was liable to be cut off at any time, and it would have been a radical step indeed to cast off the American supply when all other supplies were uncertain." Social and Industrial Conditions in the North during the Civil War by Emerson D. Fite (1910), pp. 19, 20. Fite also says (p. 17) that "in the three years 1860, 1861, and 1862 the harvests of Great Britain were a failure, and in one of the years those of all Europe." Let it never be forgotten, however, that even when starving for lack of cotton to manufacture, the employees of the cotton mills passed resolutions upholding the North. Park says: "Mr. Forster speaking at Leeds in September, 1863, could declare . . . we can point to that large meeting of half-starving workmen of Manchester in the Free Trade Hall, when they took the lead in saying 'no matter what the suffering we may endure, no matter what the sacrifices we may have to undergo, we will not allow our government to depart from the strict principle of neutrality on behalf of the slave-holding Confederacy.'" Political Science Quarterly (1924), Vol. 39, article on "The English Workmen and the American Civil War" by Joseph H. Park, pp. 438, 439.

p. 479, n. 5: "Still young in spirit, but infirm in body from gout and incessant toil, Pitt, at sixty years of age, undertook his life's noblest and hardest task. Hitherto, when most at war with privilege, he had been consoled by the enthusiasm of a people behind him; but in his struggle to convert a blind people to wise government of the continent they had won he stood almost alone, and in his lifetime was doomed to failure. Yet he spoke not vainly to future generations, and was never greater than when abandoned by all. Every moment of respite from illness he devoted to this task; in the battle for liberty he spent his strength as freely as in conquering an empire; no other cause evoked from him eloquence so inspired and so sublime. Like Milton he stalked with a conscious dignity of pre-eminence, fascinating all beholders and aweing them by the majesty of his language and his presence." The Life of William Pitt, Earl of Chatham by Basil Williams (1913), Vol. II, p. 179. And Williams further says, "In every speech he dwelt on the importance of America to England. 'She was the fountain of our wealth, the nerve of our strength, the nursery and basis of our naval power,' he said in one speech. In another, 'She has been the great support of this country; she has produced millions; she afforded soldiers and sailors; she has given our manufacturers employment and enriched our merchants.'" *Id.*, p. 324.

p. 480, n. 1: Charles James Fox by John Drinkwater (1928), p. 96.

p. 480, n. 2: Quoted in Beaumarchais and the War of American Independence by Elizabeth S. Kite (1918), Vol. II, p. 34.

p. 480, n. 3: Quoted in George III. and the American Revolution by Frank Arthur Mumby (1923), p. 243.

p. 480, n. 4: See the Victory at Sea by Rear-Admiral William S. Sims (1920), p. 79.

p. 481, n. 1: See The British Empire and the United States by William A. Dunning (1914): Introduction by Viscount James Bryce, p. xxix.

p. 481, n. 2: History of the United States by Henry Adams (1889–1917), Vol. 6, ch. 13, p. 267.

p. 481, n. 3: See The English-Speaking Peoples by George L. Beer (1917), p. 103.

p. 483, n. 1: Addresses in America (1919): Address Talking at Large by John Galsworthy, pp. 105, 106.

p. 484, n. 1: China and the Powers by Henry K. Norton (1927), p. 139.

p. 484, n. 2: America Comes of Age by André Siegfried (1927), p. 311.

p. 485, n. 1: America's Place in the World by Herbert Adams Gibbons (1924), p. 129. A very able and comprehensive summary of the arguments against war is found in Social Progress and the Darwinian Theory by George Nasmyth (1916). Among other things he says (p. 100), "When the first Balkan War broke out in southeastern Europe in 1912 the scarcity of capital, the calling in of credits, and the stagnation of trade in Europe caused banks to fail in Brazil and other countries in South America, and unemployed men to walk the streets of Chicago and New York, so delicate is the financial nervous system of the modern world. The Austrian Archduke Ferdinand is assassinated in the capital of Bosnia and men begin to murder each other, not only all over Europe but in the heart of Africa, on the shores of Asia, and on the islands of the Pacific."

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p. 485, n. 2: Bryce says the "Berlin Congress created what used to be called the Concert of Europe, a sort of combination of five Powers, Germany, Russia, France, Italy, and England, which professed to keep their eye on the Sultan to compel him to carry out the provisions of the Treaty of Berlin. But the Powers aforesaid, divided by their jealousies and antagonisms, failed to do this." International Relations by James Bryce (1922), pp. 207, 208. True, but for nearly twenty years it did much to keep peace in that turbulent part of the world.

p. 486, n. 1: See The Pathway of Peace, a Collection of Addresses by Charles E. Hughes (1925), pp. 16, 17.

p. 487, n. 1: The United States as a Neighbour from a Canadian Point of View by Sir Robert Falconer (1925), pp. 81, 82. See also Our Relations to the Nations of the Western Hemisphere by Charles Evans Hughes (1928), pp. 27–32.

p. 487, n. 2: The Americanization of the World by W. T. Stead (1901), p. 435.

p. 490, n. 1: Quoted in South America Looks at the United States by Clarence H. Haring (1928), p. 8, note.

p. 490, n. 2: Writings of John Quincy Adams, edited by Worthington C. Ford (1913), Vol. 1, p. 471. The old European diplomacy meant that might made right, and that cunning made might, and that a state might do what an individual would disdain to do, and that Machiavelli was the prophet.

Professor Burgess gives a graphic picture of Disraeli and Bismarck in framing the treaty of Berlin in 1878 after the Russian-Turkish war. He says: "The characters of these two great leaders of men were about as different as character can be conceived. The Jew was about the most perfect combination of courtesy and cunning which human biography has to present, while the Junker, on the other hand, was the perfect personification of physical force and straightforward honesty. The results of the play were the most telling demonstration of the superiority of the former qualities over the latter, both originally and by cultivation, when they exist in such perfection and are employed with such complete command, never-failing patience, and exact balance. The way in which this compound of grand seigneur and Mephisto could dangle before the eyes of his colleagues one thing as the object of his policy while really following an entirely different purpose, — so different as to be sometimes hardly short of contradictory, — was the most skillful and clever bit of political jugglery imaginable. While in this particular case he was professing to be laboring sincerely and impartially to settle the Balkan question, or situation, and making everybody believe that he was sincere and even unselfish in his efforts, he was really and — one cannot help believing — consciously bringing about conditions which would prevent any natural solution of this great problem and keep Europe in unrest and in ever-growing and increasing irritation until finally a world conflict would be precipitated, out of which the British Empire alone would emerge greater as a world power than ever, and more secure against every other. That he did his work well and successfully no man who lives today can doubt. The strange thing is that so few at that day divined his purpose and so many rendered him obedience, almost homage." The Sanctity of Law by John W. Burgess (1928), pp. 240, 241. Bryce says: "It was supposed three centuries ago that the chief duty of diplomatists was to deceive, and so a tradition arose that diplomatists are not believed, because, however honest they may personally be, their profession involves deception. . . . Bismarck is reported to have said that it was his practice to speak the truth because he knew people would not believe him. Bonaparte said of a statesman of his day: 'He lies too much. It is necessary to lie sometimes, but not always.' In the mouths of the envoys of some countries falsehood is so much a matter of course that it excites neither surprise nor reprobation. . . . But, on the whole, in the long run, even if one looks at the matter not from the ethical but solely from the business point of view, more is lost than gained by deceit. A temporary advantage may be won, but confidence is destroyed so soon as the truth comes out (which it generally does), and the mendacious government is thereafter mistrusted even when it is not lying." International Relations by James Bryce (1922), pp. 154–156. Jefferson said of Count de Vergennes, he "had the reputation, with the diplomatic corps, of being wary and slippery in his diplomatic intercourse; and so he might be with those whom he knew to be slippery and double-faced themselves. As he saw that I had no indirect views, practiced no subtleties, meddled in no intrigues, pursued no concealed object, I found him as frank, as honorable, as easy of access to reason, as any man with whom I had ever done business." Life of Thomas Jefferson by Henry S. Randall (1858), Vol. 1, p. 422. Jefferson also said Vergennes "is a great minister in European affairs, but has very improper ideas of our institutions and no confidence in them. His devotion to the principles of pure despotism, renders him unaffectionate to our government. But his fear of England makes him value us as a make weight. He is cool, reserved in political conversations, but free and familiar on other subjects, and a very attentive, agreeable person to do business with. It is impossible to have a clearer, better organised head; but age has chilled his heart." Writings of Thomas Jefferson, edited by Paul Leicester Ford (1894), Vol. 4, pp. 366, 367.

(for p. 490)

In Europe the ethics of diplomacy have always been different from ethics of private life. Deceit is expected. Green says of Elizabeth, "It was an age of political lying but in the profusion and recklessness of her lies Elizabeth stood without a peer in Christendom. A falsehood was to her simply an intellectual means of meeting a difficulty; and the ease with which she asserted or denied whatever suited her purpose was only equalled by the cynical indifference with which she met the exposure of her lies as soon as their purpose was answered." A Short History of the English People by John Richard Green (1874), p. 372.

American diplomacy may be brusque but it means what it says. For instance after the sailing of the *Alabama*, Adams, the American Minister to England, in demanding in 1863 that ironclad rams about to sail be stopped, said to Lord John Russell, "It would be superfluous in me to point out to your Lordship that this is war." (Charles Francis Adams by his son — 1900, — p. 342.) Sir John stopped the sailing.

Again, in 1895, when the British Government refused to arbitrate its differences with Venezuela as to boundary lines, Olney, the American Secretary of State, declared: "To-day the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition." Great Britain arbitrated.

And again in 1903 when German warships were sinking Venezuelan gunboats Roosevelt told the German Minister that he intended to send ten days later the American fleet to the spot. The Kaiser stopped. See Theodore Roosevelt by William Draper Lewis (1919), pp. 210, 211, where the incident is described as follows: Roosevelt "sent for the German Ambassador, Dr. Hollenben, and told him that unless Germany consented to arbitrate, Admiral Dewey with the American squadron would be sent, ten days later, to the Venezuelan coast to prevent the taking of Venezuelan territory by Germany. . . . For a week nothing happened. Then Dr. Hollenben called on the President again but said nothing about the Venezuelan matter. As he started to leave Roosevelt stopped him and asked whether he had heard anything from his government. He said that he had not. 'Then,' said Roosevelt, 'I shall instruct Admiral Dewey to sail one day earlier than I had originally intended.'" The whole episode is fully set forth in Latin America in World Politics by J. Fred Rippy (1928), pp. 192–196.

When Canning suggested and John Quincy Adams in 1823 formulated the Monroe Doctrine and Monroe announced it, continental Europe dropped its plans to restore Spanish rule in America. Three years later while still Minister of Foreign Affairs, Canning in a speech in the House of Commons said: "I resolved that, if France had Spain, it should not be Spain with the

Indies. I called the New World into existence to redress the balance of the Old." Ency. Brit., 11th ed., vol. 5, p. 188. Miller gives Canning's words more fully: "The New World had been called into existence to redress the balance of the Old, and would in time outweigh and topple over the fabrics of kingcraft upon which so many wise men had labored for thousands of years." American Debate by Marion Mills Miller (1916), Vol. 1, p. 347.

Dewey at Manila in 1898 when the German fleet interfered with his attack told the German Admiral that if he wanted war he could have it. The interference ceased. Life and Letters of Admiral Dewey by Adelbert M. Dewey (1899). On p. 209 he says, "When the German naval officers in the Philippine waters seemed inclined to take sides with the enemies of America they were soon called upon to observe the laws of neutrality. And they knew that George Dewey was not to be trifled with." The incident is also set forth in Latin America in World Politics by J. Fred Rippy (1928), p. 166, where Dewey is reported to have said, "If Germany wants war, all right; we are ready."

Outspoken American diplomacy failed at the Peace Conference after the World War but that was because America was meddling with European affairs, which were none of America's business.

An illustration of European diplomacy was the proposal of the French and British Governments in July, 1928, to the American Government to limit construction of war vessels of 10,000 tons or less with guns of 6- to 8-inch calibre. The American Government rejected the proposition and said it "would be the imposition of restriction only on types peculiarly suited to the needs of the United States" but "would add enormously to the comparative offensive power of a nation possessing a large merchant tonnage on which preparation may be made in times of peace for mounting six inch guns." This of course referred to Great Britain. It added that the proposition put "the United States at a decided disadvantage" and repeated that it "would impose restrictions only on types peculiarly suitable to American needs." It is but fair to add that when this answer was made public the English people and press almost unanimously took the American side and condemned the British Foreign Office for putting forward such an unfair proposition.

The foreign view of all this is whimsically shown by the following from a Spanish writer: "The *Times* (London) would have dropped in an almost incomprehensible and labyrinthine hint in its City Columns to obtain the same effect which the Philadelphia *Ledger* sought in saying on its first page: 'The Department of State came down to-day with both feet upon any and all proposals to float loans in the United States for the benefit of Soviet Russia.' Some boy, that Department of State!" Americans are Boys by

Salvador de Madariaga, Harper's Magazine, July, 1928. This is amusing but of course the Department of State does not talk that way.

In 1814 when the American Commissioners (Gallatin, John Quincy Adams, Clay, Bayard, Russell) met the British Commissioners at Ghent to negotiate a Treaty of Peace the demands of the British were so extravagant that Henry Clay flared up in a private conference of the Americans and Adams wrote of Clay in his Diary: "He was for playing *brag* with the British Plenipotentiaries; they had been playing *brag* with us throughout the whole negotiation; he thought it was time for us to begin to play *brag* with them. He asked me if I knew how to play *brag*. I had forgotten how. He said the art of it was to beat your adversary by holding your hand, with a solemn and confident phiz, and outbragging him. He appealed to Mr. Bayard if it was not. 'Ay,' said Bayard: 'but you may lose the game by bragging until the adversary sees the weakness of your hand.'" Diary of John Quincy Adams, edited by Allan Nevins (1928), p. 148.

p. 491, n. 1: The War Debts by Philip Dexter and John Hunter Sedgwick (1928), pp. 5, 10.

p. 492, n. 1: Quoted in Since the Civil War by Charles R. Lingley, Revised Edition (1926), p. 550.

p. 492, n. 2: Peel, an English writer and evidently an admirer of Wilson, says nevertheless: "His political doom was sealed when he brought home from Paris the Treaty and the Covenant of the League of Nations. To American eyes the latter was the illusory mask which concealed the reality of reaction embodied in the former. To American eyes the Covenant was the bait set to lure the simpletons of European Liberalism into the trap of the Treaty. Not all the eloquence of President Wilson could persuade his fellow-countrymen to accept the impossible Article 10, and the equally undesirable Article 16, of the Covenant. Article 10 engaged America, together with the rest of the nations, to 'preserve as against external aggression the territorial integrity and existing political independence of all Members of the League.' That implied external preparedness for inevitable warfare in the Old World. Article 16 further engaged America, with the rest of the nations, to submit any recalcitrant Member of the League to 'the severance of all trade and financial relations.' This sounded specious, but it implied embargoes upon commerce, the very thing which America had gone to war in 1812 and in 1914 to prevent." The Economic Impact of America by Hon. George Peel (1928), pp. 149, 150.

p. 492, n. 3: Early Life and Letters of John Morley by F. W. Hirst (1927), Vol. II, p. 161.

p. 493, n. 1: Professor Burgess in a recent book says: "It does not take the student of European history very long, however, to discover that Great Britain is the large state which uniformly plays the role of the protector of the rights of the 'small nations' on the Gontinent, and not only on the continent of Europe but everywhere else. Even when the United States of America threatened to break up into fragments, this great empire was found helping on the movement. In the language of modern slogan, 'Balkanize the world, except the British Empire' seems to be a fundamental principle of British diplomacy, all the time conscious that sympathy for the Balkanized parts goes hand in hand with the supremacy of the great empire over them all." The Sanctity of Law by John W. Burgess (1928), pp. 170, 171.

p. 493, n. 2: Outline of History by H. G. Wells (1920), p. 285.

p. 493, n. 3: See National Isolation an Illusion by Perry Belmont (1925), p. 153 and p. 157. Even Gladstone's chosen biographer says: "At the banquet in the town hall of Newcastle (October 7), with which all these joyous proceedings had begun, Mr. Gladstone let fall a sentence about the American war of which he was destined never to hear the last: 'We know quite well that the people of the Northern States have not yet drunk of the cup — they are still trying to hold it far from their lips — which all the rest of the world see they nevertheless must drink of. We may have our own opinions about slavery; we may be for or against the South; but there is no doubt that Jefferson Davis and other leaders of the South have made an army; they are making, it appears, a navy; and they have made what is more than either, they have made a nation.'" Quoted in Retrospections of an Active Life by John Bigelow (1909), Vol. I, pp. 559, 560.

p. 493, n. 4: Retrospections of an Active Life by John Bigelow (1909), Vol. I, pp. 620–627.

p. 493, n. 5: See *Id.*, pp. 610, 611.

p. 494, n. 1: *Id.*, p. 493.

p. 494, n. 2: *Id.*, p. 440, 441.

p. 494, n. 3: Educating for Freedom by Edward O. Sisson (1925), p. 36. The Conquest of New England by the Immigrant by Daniel C. Brewer (1926) gives facts and figures to show how New England manufacturing has brought in foreign labor until now New England civilization may be engulfed (just as New Englanders by descent are now far outnumbered by the foreign races in Massachusetts, Connecticut, and Rhode Island). Mr. Brewer calls on New Englanders to spread their cultural qualities and institutions among the newcomers before it is too late. He says (p. 74), "The Puritan and the Pilgrim, mightily aided by God in man and in nature, got to heights that presented a wide outlook — an outlook that perhaps was broader than men had thus far enjoyed. Their state papers and early history, as integral parts of a new nation, abundantly reflect a desire to hold what they had acquired. In face of all this they and their stock, feeling the stir of power which had been generated within by the experience of the two centuries which we have lightly reviewed, let it take its course, without regard for the safety of things already won. Gold loomed large on their horizon. They made it their objective, and thus repeated the error that has beckoned every civilization to its doom. Trade is good. Ay! Commerce is the Deity's way of opening up communications between men. Ay! Abundant production of the things the body and soul yearn for is good. Ay! Ay! But mark this, reader. When the leaders of a nation secure wealth for themselves or for their people, the end threatens because man cannot or will not busy himself with great possessions without ignoring things which are infinitely more important."

p. 494, n. 4: Race or Nation by Gino Speranza (1925), p. 256.

p. 495, n. 1: The Challenge of the Future by Roland G. Usher (1916), pp. 213, 214. On the other hand it is well to bear in mind what John Quincy Adams wrote while Minister for the United States to Holland in 1795 as to the decay of Holland's navy by reason of its reliance on the English navy: "The situation of this country's naval power has already been stated to you. The list of ships published by authority under the old government named forty-three men of war and thirty-five frigates as the number of the existing navy; of these not more than fifteen of each were in commission, and of those in commission not more than a third part are now fit for being sent into action. The foundation for a respectable force however exists, and the importance of this department for securing permanency to the revolution is well known to those now having the direction of affairs, as appears very clearly by their placing the most prominent character of the Revolution at the head of it. There is reason to suppose that the exertions which will unquestionably be directed to this question will be productive of effect more than appears to be expected. The system of neglecting the maritime force and suffering it to perish by degrees was essentially connected with, and the natural effect of, a subordinate intimacy with the self-entitled rulers of the waves. To court their friendship, to deprecate their resentment or to secure their protection, nothing could be more effectual than to lay aside the means of being formidable to them; and, accordingly for the space of the last forty years, in peace and in war, whether leagued as allies, opposed as enemies, or indifferent as neutrals, the deadly torpor of a political opiate has incessantly been infusing into every vein and artery of this naval constitution, while the siren song of family affections has always been added to charm its sensations as they weakened, and gently soothe into the slumber of death." Writings of John Quincy Adams, edited by Worthington C. Ford (1913), Vol. I, p. 303.

Professor Burgess contributes the new and entirely possible idea that "the United States of America may at some future day regard it as its own great world mission to perfect a real world unity of genuine national states. When that day shall come, it is practically certain that a country which has already produced among its citizenry in the world of business enterprise such men as the Carnegies, the Rockefellers, the Westinghouses, the Rogerses, the Edisons, the Fords, and many others of not much less prominence, will be able to furnish the characters necessary for this great undertaking, and that they will not allow themselves to be hampered in their work by the economy of government in its appropriations but will furnish the means themselves to accomplish this crowning project of human civilization. Possibly this is the deep meaning of these gigantic fortunes which are being heaped up in this modern era of discovery and invention. The indications are not wanting already that such is the grand purpose to which they may be put. In fact, they are being so employed in considerable measure at this very moment, and, as so employed, they are setting the most superb example that man has ever placed before man in the uses of untold wealth." The Sanctity of Law by John W. Burgess (1928), p. 333.

p. 495, n. 2: Autobiography of Seventy Years by George F. Hoar (1903), Vol. II, p. 207.

p. 499, n. 1: The Spirit of Democracy by Lyman Abbott (1910), p. 119. Professor Hearnshaw (English) says in his Democracy at the Crossways (1918), p. 331: "There are few things that have excited graver apprehension among students of democratic institutions than the possible 'tyranny of the majority.' This apprehension is not limited to antagonists of democracy like Professor Blackie, Sir Henry Maine, or Mr. G. Lowes Dickinson; it is shared by men of pronounced popular and progressive views. Harrington, the seventeenth-century author of *Oceana*, was a man of advanced commonwealth opinions, yet he expressed dread of the motions of the multitude; Lord Acton was a thinker of a most liberal type, yet he said, 'The one pervading evil of democracy is the tyranny of the majority, or rather of that party, not always the majority, that succeeds, by force or fraud, in carrying elections'; above all John Stuart Mill displayed the most consuming anxiety lest the great Leviathan, whose claims he had so earnestly advocated, should, when established in power, behave like a brute: 'The tyranny of the majority,' he confessed, 'is now generally included among the evils against which society requires to be on its guard.'" Charles Seignobos in his History of Contemporary Civilization (1908), pp. 302, 303, says: "One theory regards the definite purpose of the government to be the assurance of liberty to the individual. Individuals should be allowed to develop without restraint, they will be happier and more active, they will be able to make more progress, society will regulate itself better than under established rules. The state should be content to assure to each one personal liberty, and should constrain no one beyond what is necessary for the protection of the rights of others. It is only an organization for mutual defence. It should not be burdened with works useful to the community; they belong to private individuals who are interested in them. A weak government is therefore necessary, so that there should be no temptation to violate the liberty of the individual. Such is the theory of the Liberal-Radicals.

"The opposing theory is based on the idea that it is the mission of the state to render men happy, and to see that justice reigns. It has the right to regulate everything in the interest of the greatest number, since it has received its authority from the sovereign people. It is not obliged to respect personal liberty if it interferes with the fulfilment of the mission of government. As far as the state is concerned the individual has no rights. Therefore the government must be a strong one in order to break down the resistance of the individual. This is the theory of Authoritarian-Radicals. These two theories correspond to two opposing sentiments — love of progress and love of order. The Liberals desire indefinite progress; the Authoritarians want a perfect society, and allow progress only up to the moment when perfection is attained. Between these two extreme theories there are many intermediate opinions. One party of Liberal-Radicals asserts that the functions of a state are not only to maintain peace, but to undertake all works useful to society in which private individuals are not interested. The state should build the bridges, the harbors, the highways, preserve the forests, support scientific and educational establishments. There is no agreement as to the support of the church; the usual theory advanced is that of separation of church and state." Mr. Justice Brewer of the Supreme Court in an address before the graduating class of the Yale Law School in June, 1891 "On the Protection of Private Property against Public Attack" said: "'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.' This was the natal cry of a new nation. It is the illuminating and interpreting voice of the Constitution. I know it is by some thought clever to speak of the Declaration as a collection of glittering generalities. The inspired apostle said, 'And now abideth faith, hope, charity — these three; but the greatest of these is charity.' This affirmation is only a glittering generality; but subtract from Christianity all that it implies, and what is left is as barren as the sands of Sahara. The Declaration passes beyond the domain of logic — it argues nothing. It appeals to the intuitions of every true man, and relying thereon, declares the conditions upon which all human government, to endure, must be founded. . . . Whatever dreams may exist of an ideal human nature, which cares nothing for possession and looks only to labor for the good of others, — actual human experience, from the dawn of history to the present hour, declares that the love of acquirement, mingled with the joy of possession, is the real stimulus to human activity. When, among the affirmations of the Declaration of Independence, it is asserted that the pursuit of happiness is one of the unalienable rights, it is meant that the acquisition, possession, and enjoyment of property are matters which human government cannot forbid, and which it cannot destroy, that except in punishment for crime, no man's property, nor any value thereof, can be taken from him without just compensation. Instead of saying that all private property is held at the mercy and judgment of the public, it is a higher truth, that all rights of the State in the property of the individual are at the expense of the public. . . . The long struggle in monarchical governments was to protect the rights of the individual against the assaults of the throne. As significant and important, though more peaceful in the struggle is this government of the people, to secure the rights of the individual against the assaults of the majority. The wisdom of government is not in protecting power, but weakness; not so much in sustaining the ruler, as in securing the rights of the ruled. The true end of government is protection to the individual; the majority can take care of itself. Private property is subject to governmental attack in three ways: First, through taxation: Second, by eminent domain; and, Third, in the exercise of the police power." The Justice then referred to the "spoliation and destruction of private property through the agency of that undefined and perhaps indefinable power, the police power of the State. I say undefined and perhaps indefinable, for no man has yet succeeded in giving a definition which, in anticipating future contingencies, has prescribed exact limits to its extent. It is that power by which the State provides for the public health, and the public morals, and promotes the general welfare. . . . I am here to say to you, in no spirit of obnoxious or unpleasant criticism upon the decision of any tribunal or judge, that the demands of absolute and eternal justice forbid that any private property, legally acquired and legally held, should be spoliated or destroyed in the interests of public health, morals, or welfare, without compensation."

p. 500, n. 1: The Forgotten Man and Other Essays (1918): Address on The Administration of Andrew Jackson by William Graham Sumner, p. 349.

p. 500, n. 2: Essay on May's Democracy in Europe (1878), republished in History of Freedom and Other Essays by John E. Acton (1907), pp. 93, 94.

p. 500, n. 3: Character and Opinion in the United States by George Santayana (1920), p. 226. I have before me a book by a prominent socialist, published in 1911 and republished in 1920. It contains the following: "New England has been hailed as the birthplace of social equality and orators and superficial historians are prone to trace all democratic institutions back to the famous 'New England town meeting.' The fact is that in the beginning these colonies, so far as local government is concerned, were theocratic autocracies" (p. 40). Of the Constitution it says, "The organic law of this nation was formulated in secret session by a body called into existence through a conspiratory trick, and was forced upon a disfranchised people by means of a dishonest apportionment in order that the interests of a small body of wealthy rulers might be served" (p. 99). And again, "The constitution had been formulated and foisted upon the people largely by stealth and deception, aided by a closely restricted suffrage" (p. 109). And again, "The principles of the Declaration of Independence had long ago been cast aside" (p. 119). And again, "They [the Federalists] had formulated the constitution in secret, secured its adoption by deceit and gerrymandering, extended its provisions by shrewd legislation, and made it clearly an instrument of class government" (p. 125). Of the Supreme Court the book refers to the power of that court to pass on the constitutionality of statutes as a "revolutionary usurpation of power" (pp. 126, 127). And it says that after the Civil War "One of the obstacles to the carrying out of the Reconstruction prográm was the Supreme Court. This body was still dominated by a combination of small capitalist and chattel slave interests and ideas. Because that power generally safeguarded the interests of the exploiting class, this Court had been permitted to retain its usurped power to declare laws unconstitutional" (pp. 300, 301). Of Washington it says, he "had used his position as royal surveyor to locate lands within the limits which he was supposed to preserve from settlement" (p. 65). And in speaking of Lincoln it says "there is no small amount of evidence tending to show that the shot that killed him came from the direction of Wall Street rather than Richmond" (p. 289). The book closes by saying the working class "is fighting for victory with a certainty of success before it" and "is fighting for political power. It will use that political power to obtain control of the instruments essential to the lives of the workers. That ownership cannot be individual. Industry cannot be disintegrated back to the stage of individual ownership. It must be still further integrated into common ownership by a democratically controlled government of the workers" (pp. 317, 318). Social Forces in American History by A. M. Simons.

Another book is Essays on Nationalism by Professor Hayes of Columbia. It is an attack on nationalism and patriotism. It criticises harshly the education of young and old to revere the flag, the national heroes, the national wars and the patriotism of the past. It puts the soft pedal on that word "patriotism" and uses the word "nationalism" and says (p. 29) "the fusion of patriotism with nationality and the predominance of national patriotism over all other human loyalties — which is nationalism — is modern, very modern." If so most of us have misread our Grecian and Roman histories. The professor also says (pp. 25, 26): "Nowadays there is preached and practised a twofold doctrine, (1) that each nationality should constitute a united independent sovereign state, and (2) that every national state should expect and require of its citizens not only unquestioning obedience and supreme loyalty, not only an exclusive patriotism, but also unshakable faith in its surpassing excellence over all other nationalities and lofty pride in its peculiarities and its destiny. This is nationalism and it is a modern phenomenon." The book puts upon nationalism the sins of imperialism. It fails to point out the absolute necessity of nationalism and patriotism at the present time. Without them how could America have put four million men in the field in the World War and without them can America assimilate the dissimilar foreign races which have come to this country? Abolish nationalism and patriotism and the great republic would quickly fall apart. The professor says (pp. 107, 108): "Nationalism's chief symbol of faith and central object of worship is the flag, and curious liturgical forms have been devised for 'saluting' the flag, for 'dipping' the flag, for 'lowering' the flag, and for 'hoisting' the flag. Men bare their heads when the flag passes by; and in praise of the flag poets write odes and children sing hymns. In America young people are ranged in serried rows and required to recite daily, with hierophantic voice and ritualistic gesture, the mystical formula: 'I pledge allegiance to our flag and to the country for which it stands, one nation, indivisible, with liberty and justice for all.' Everywhere, in all solemn feasts and fasts of nationalism, the flag is in evidence, and with it that other sacred thing, the national anthem." The professor also says (pp. 132, 133): "Nationalism has latterly set before the ordinary citizen of every so-called civilised country on earth the ideal of fighting to secure any territory to which his nationality has ever had any sort of claim or on which his national flag has ever been hoisted, and to wreak vengeance on any land on which his fellow nationals have suffered in person or purse, an ideal which looks forward to the ultimate extention of one people's 'mission' at the expense of the mission of all other peoples." Finally the professor seems to recant and in the last chapter of his book admits that he had dealt "almost exclusively" with the "evil side" of nationalism (p. 247), and then admits that nationalism has come to stay, and admits that it has great spiritual value against materialistic cosmopolitanism, and that it also has high cultural value in developing characteristic contributions to world culture, besides avoiding drab uniformity. He says (p. 254): "Patriotism of some kind or variety has been a mark of human beings from prehistoric times . . .; patriotism in our day has become synonymous with devotion to nationality." In fact, the professor is finally reconciled to nationalism but asks that it be freed from exclusiveness, intolerance and narrowness, and cease to require uniformity, and cease to lead the masses blindly, and that it put away militarism and war. The professor says (p. 271): "Let us continue to be patriotic citizens of our respective national states. Let us cherish our national language, our national traditions, and our national ideals." All this confirms the conclusion that while internationalism and cosmopolitanism are beautiful intellectual theories, yet so far from being practical forces in the world they are but emotional rhapsodies.

p. 501, n. 1: Essay on History of Freedom in Antiquity (1877), republished in History of Freedom and Other Essays by John E. Acton (1907), pp. 12, 13.

p. 501, n. 2: Popular Government by William Howard Taft (1913), pp. 70, 86.

p. 502, n. 1: Collected Legal Papers of Oliver Wendell Holmes (1920), pp. 295, 296, where the Justice said: "I do not think the United States would come to an end if we lost our power to declare an Act of Congress void. I do think the Union would be imperiled if we could not make that declaration as to the laws of the several States." Judge Hughes says as to this: "Such observations undoubtedly have derived support from the infrequency, during a long period, of decisions holding acts of Congress to be invalid and from the fact that few of these cases have been of great importance in shaping the course of the Nation. But the suggestion fails, as it seems to me, to take adequate account of considerations which ought not to be lightly dismissed. The dual system of government implies the maintenance of the constitutional restrictions of the powers of Congress as well as of those of the States. The existence of the function of the Supreme Court is a constant monition to Congress. A judicial, as distinguished from a mere political, solution of the questions arising from time to time has its advantages in a more philosophical and uniform exposition of constitutional principles than would otherwise be probable. Moreover, the expansion of the country has vastly increased the volume of legislative measures and there is severe pressure toward an undue centralization. In Congress, theories of State autonomy, strongly held so far as profession goes, may easily yield to the demands of interests seeking Federal support. Many of our citizens in their zeal for particular measures have little regard for any of the limitations of Federal authority. We have entered upon an era of regulation with a great variety of legislative proposals, constantly multiplying governmental contacts with the activities of industry and trade. These proposals raise more frequently than in the past questions of National, as opposed to State, power. If our dual system with its recognition of local authority in local concerns is worth maintaining, judicial review is likely to be of increasing value. The bill of rights in the Federal Constitution, sustained by the judicial power, must still be regarded as of importance to the liberty of the citizen." The Supreme Court of the United States by Charles Evans Hughes (1928), pp. 95, 96.

p. 502, n. 2: See Smyth *v.* Ames, 169 U. S. 466 (1898) at p. 528.

p. 503, n. 1: Addresses on Government and Citizenship (1916): Address on Individual Liberty and the Responsibility of the Bar, by Elihu Root, p. 517.

p. 503, n. 2: Democracy and Leadership by Irving Babbitt (1924), pp. 307, 308.

p. 505, n. 1: See The Foundations of the Modern Commonwealth by Arthur N. Holcombe (1923), p. 205. Lord Bryce analyzes equality as follows: "First there is legal equality, including both what one may call passive, or private equality, — *i.e.*, the equal possession of private civil rights by all inhabitants, — and active, or public equality, the equal possession by all of rights to a share in the government, such as the electoral franchise and eligibility to public office. Both kinds of political equality exist in America in the amplest measure, and may be dismissed from the present discussion. Next there is the equality of material conditions, — that is, of wealth, and all that wealth gives; there is the equality of education and intelligence; there is the equality of social status or rank; and there is (what comes near to, but is not exactly the same as, this last) the equality of estimation, — *i.e.*, of the value which men set upon one another, whatever be the elements that come into this value, whether wealth, or education, or official rank, or social rank, or any other species of excellence." Social Institutions of the United States by James Bryce (1892), pp. 147, 148. John Morley's views on this subject are found in Early Life and Letters of John Morley by F. W. Hirst (1927), Vol. 1, p. 109: "The dogma of equality, 'notoriously false if attributed to the actual condition of men, either at their birth or at any later time, is yet full of meaning applied to the institutions of society; as society exists for the purpose of repairing the accidental inequalities of nature and of giving to all the same equality of external opportunity.' We may note here how Morley with a scrupulous veracity takes care to insert the word 'external' into the Radical formula. The State cannot give full equality of opportunity to all children of equal capacity; for it cannot give them equally good parents or equality of surroundings."

p. 505, n. 2: The Spirit of America (1910): Conference III on Fair Play and Democracy by Henry Van Dyke, pp. 76, 77. Henry James wrote in 1861, "When, by virtue of our national genesis and genius, I claim before God and man a rightful equality with every other man, what precisely is it that I do? Do I claim for myself an equality of wit, of learning, of talent, of benevolence, with this, that, or the other special person whom you may name as remarkable for those endowments? Do I mean to allege my private personal equality with all other persons; my equal claim, for example, to the admiring or sympathetic homage of mankind, with Shakespeare, with Washington, with Franklin? No man who is not an ass can believe this; and yet you perpetually hear the paid scribes of old-fogyism repeating the slander throughout the world, as if it were the most indisputable of truths. Nothing is more common than to hear persons who are disaffected to the humane temper of our polity affecting to quote the Declaration of Independence as saying that all men are *born* equal, and under cover of that audacious forgery exposing it to ridicule. The Declaration is guilty of no such absurdity. It does not say that all men are born equal, for it is notorious that they are born under the greatest conceivable inequalities, — inequalities of heart and head and hand, — inequalities even of physical form and structure; but it says that, notwithstanding these inequalities, they are all *created* equal, — that is, are all equal before God, or can claim no superior merit one to another in his sight, being all alike dependent upon his power, and possessing a precisely equal claim, therefore, each with the other, to the blessings of his impartial providence. The inequalities under which men are born, or which they inherit from their forefathers, are the needful condition of their individuality, of their various personal identity. The framers of the Declaration saw this as well as anybody." Orations collected by Brooklyn Public Library: Oration by Henry James, pp. 20, 21.

Colonel Robert G. Ingersoll had his own emphatic way of putting it. He said: "Seven long years of war — fighting for what? For the principle that all men are created equal — a truth that nobody ever disputed except a scoundrel; nobody, nobody in the entire history of this world. No man ever denied that truth who was not a rascal, and at heart a thief, never, never, and never will. What else were they fighting for? Simply that in America every man should have a right to life, liberty and the pursuit of happiness. Nobody ever denied that except a villain; never, never. It has been denied by kings — they were thieves. It has been denied by statesmen — they were liars. It has been denied by priests, by clergymen, by cardinals, by bishops and by popes — they were hypocrites.

"What else were they fighting for? For the idea that all political power is vested in the great body of the people. The great body of the people make all the money; do all the work. They plow the land, cut down the forests; they produce everything that is produced. Then who shall say what shall be done with what is produced except the producer? Is it the non-producing thief, sitting on a throne, surrounded by vermin?

"Those were the things they were fighting for; and that is all they were fighting for. They fought to build up a new, a great nation; to establish an asylum for the oppressed of the world everywhere. They knew the history of this world. They knew the history of human slavery." Our National Centennial Jubilee, edited by Frederick Saunders (1877): The Meaning of the Declaration by Col. Robert G. Ingersoll, pp. 702, 703.

p. 506, n. 1: The Future of Trades-Unionism and Capitalism in a Democracy by Charles W. Eliot (1910), p. 96.

p. 506, n. 2: Conduct of Life: Essay on Fate, by Ralph Waldo Emerson.

p. 508, n. 1: "Due process of law" is a broad term (See Cooley on Constitutional Law, pp. 221–225; also 32 Harv. L. Rev. 218, 233 — 1919) — broad enough to correct any governmental action that shocks the conscience of mankind. It appears first in enactments in the reign of Edward III in the fourteenth century, and it means the same as "law of the land," found in Magna Charta in 1215 (Murray's Lessee *v.* Hoboken Land Co., 18 How. 272, 276 — 1855). Due process of law is given a new meaning by each generation and properly so. It means the deliberate settled conviction of a people as to the location of the line separating tyranny or confiscation from protection of life, liberty, and property. It represents the spirit of equity in a community. Due process of law is consistency "with the fundamental principles of liberty and justice which lie at the base of all our civil and political institutions." Hebert *v.* Louisiana, 272 U. S. 312, 316 (1926). The fact is that justice itself is not a fixed thing but depends upon the character of the people. The conception of justice is an evolution, "that is, subject to change and to the necessity of adjustment to mutable life-conditions. History shows it to have been in precisely that state. A man gets justice when he gets his rights; and since rights are not natural and immutable but are also matters of adjustment, justice could scarcely be absolute and invariable." The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. 1, § 179, p. 651. Christ was asked by Pontius Pilate "What is truth?" (John 38: 18.) Similarly all jurists ask: "What is justice?" Apparently, as stated above, it is the settled conviction of a people as to what is right, and hence grows as the character of that people improves. Hence also justice with one people may be different from justice with another people. Truth is a correct statement of a fact. Justice has no such standard. Even supposed truth varies with the ages. Man is full of inaccuracies and what was supposed to be truth in one age is found in a later age not to be the truth. And yet truth has an ultimate standard while justice has not. "Phrases like 'due process of law,' as Judge Hough reminded us, are of 'convenient vagueness.' Their content is derived from without, not revealed within the Constitution. The power of states to enact legislation restricting an owner's use of natural resources, providing a living wage for women workers, limiting the rents chargeable by landlords, fixing standard weights for bread, prohibiting the use of shoddy in comfortables, prescribing building zones, requiring the sterilization of mental defectives, — these powers hinge on the Court's reading of the due process clause." Business of the Supreme Court by Felix Frankfurter and James M. Landis (1927), p. 308. It would be difficult to compress into a single sentence more error than is found in the following quotation from The Rise of American Civilization by Charles A. and Mary R. Beard (1927), Vol. 1, p. 18, relative to England. "Happily for the growing nation, the attempts of the baronage to break the Crown by imposing upon it the anarchic restraints of Magna Charta in the interests of inherited feudal privileges were defeated by the magnificent disregard which King John's successors showed for most of the prohibitions written down in that historic document." The fact is that so far from King John's successors showing "magnificent disregard" for its provisions, those successors were repeatedly required to confirm its principles and agree to abide by its provisions. And so far from its restraints on the King being "anarchic," they alone prevented absolute monarchy, such as finally prevailed in continental Europe. In fact, for over 700 years Magna Charta has been the sheet anchor of Anglo-Saxon liberties. Pollock and Maitland, eminent English legal historians, say of Magna Charta that "with all its faults this document becomes and rightly becomes a sacred text, the nearest approach to an irrepealable, 'fundamental statute,' that England has ever had." History of English Law, by Sir Frederick Pollock and Frederick W. Maitland (1895), Vol. 1, p. 152. Judge Hughes after quoting this says of the American colonists: "They had a notion of rights that were fundamental, immutable, and they intended to make these rights secure. It matters not whether they were accurate in their understanding of the Great Charter, for the point is not what it meant when granted by King John, but what the Colonists thought it meant, and what the framers and ratifiers of our constitutional provisions intended by 'law of the land' or 'due process of law.' They did not attempt to define the meaning of the phrase; doubtless it appeared to them as having an indefinite content, and it was all the better for that. They wanted protection against tyranny, wherever and however it might hit, and they were not careful even to try to limit by exact definition the guaranty of their liberties. . . . They were also intent on safeguards against arbitrary government. They were intent on protection against legislatures as well as executives. . . . The phrase 'due process of law' was vague, its meaning was unsettled, but it was not meaningless nor was it limited by anything short of the general purpose to afford immunity from any violation of fundamental rights." The Supreme Court of the United States by Charles Evans Hughes (1928), pp. 186–188. Professor George B. Adams of Yale in Council and Courts in Anglo-Norman England (1926) well says (p. 255) that Magna Charta established "the principle that the king must keep the existing law and may be compelled to do so if he refuses. In the development of English liberty that which has been the one continuous interest, the unifying effort alike in every age, is the attempt to limit the arbitrary action of the king and to subject him to the rule of law." Hallam, one of the greatest of English constitutional authorities says of Magna Charta, "all which has been since obtained is little more than as confirmation or commentary." See Historical and Patriotic Addresses, edited by Frederick Saunders (1893): Oration on Rise of Constitutional Liberty by Rev. Dr. R. S. Storrs, July 4, 1876, p. 275. As Lord Bryce says, Magna Charta "is for us of the English stock the parent of all instruments defining the relation of citizen and sovereign, be the sovereign a king or the people. It is the ancestor of your own federal constitution, as well as of the 'Bill of Rights' provisions of all State Constitutions." University and Historical Addresses by James Bryce (1913): Address on The Influence of National Character and Historical Environment on the Development of the Common Law, delivered August, 1907, p. 56.

p. 508, n. 2: The Supreme Court says: "Regulations, the wisdom, necessity and validity of which, as applied to existing conditions, are so apparent that they are now uniformly sustained, a century ago, or even half a century ago, probably would have been rejected as arbitrary and oppressive." Euclid *v.* Ambler Realty Co., 272 U. S. 365, 387 (1926). The provision in Magna Charta was "no freeman shall be arrested or detained in prison, or deprived of his freehold, or outlawed, or banished, or in any way molested; and we will not set forth against him, nor send against him, unless by the lawful judgment of his peers and by the law of the land." (See A Government of Law as Distinguished from a Government of Functionaries by Hon. Hannis Taylor, From the Green Bag, September, 1906.) Later by ch. 29 of the Charter of 9 Henry III; confirmed by Edward I in the 25th year of his reign, the wording became "No freeman shall be taken, or imprisoned, or be disseised of his freehold or liberties, or free customs, or be outlawed or exiled, or any otherwise destroyed, nor will we (the king) pass upon him, nor condemn him, but by lawful judgment of his peers, or by the law of the land. We will sell to no man, we will not deny or defer to any man, justice or right." See Civil Liberty and Self-Government by Francis Lieber, 3rd edition revised (1883), p. 276. The Encyclopædia Britannica says (11th ed., vol. 9, p. 475) that after the Norman Conquest of 1066 "The number of freemen began to decrease, from the encroachments of the landowner, and continued to dwindle for many years; even in districts where the Domesday Book [1086] shows them surviving in considerable numbers, it is clear that a generation or two later they had largely disappeared, and became merged in the villein class." A villein in early English history was intermediate between freemen and slaves. *Id.*, Vol. 29, p. 81, etc.

p. 508, n. 3: Sartor Resartus by Thomas Carlyle (1833), Book 2, Ch. VII.

p. 509, n. 1: The Faith of a Liberal (1924): Socialism *versus* Capitalism, a statement written for the London Daily Telegraph by Nicholas Murray Butler, pp. 197, 198.

p. 509, n. 2: The Present Economic Revolution in the United States by Thomas Nixon Carver (1925), p. 176.

p. 509, n. 3: Encyclopædia Britannica, 11th Ed. (1911), Vol. 6, p. 792. A translation of Plato's dialogue on this subject is found in Readings in Political Philosophy by Francis William Coker (1914), pp. 26–36. Plato believed in the advantages of the governing class having wives and children in common but evidently saw that it would be impossible and asks, "Is our theory a worse theory because we are unable to prove the possibility of a city being ordered in the manner described? . . . You must not insist on my proving that the actual state will in every respect coincide with the ideal." *Id.*, p. 35. Strictly speaking this community of property and wives was for the ruling class — the "Guardians" and their "Auxiliaries." Plato practically ignored the great mass of the members of his Republic, except that they must be producers, and each man was to have but one business and there was no communism of property and all were to be subject to picked "Guardians" called "Rulers." See Plato and the Other Companions of Socrates by George Grote (1875), Vol. 3, pp. 69–72, 197–208.

p. 509, n. 4: Quoted in William Graham Sumner by Harris E. Starr (1925), p. 431.

p. 510, n. 1: Folkways by William G. Sumner (1907), p. 377.

p. 511, n. 1: Democracy in America by Alexis de Tocqueville, Introduction to the First Part. This was quoted in John Stuart Mill's review of the book in 1840 as follows: "'As soon as land was held on any other than a feudal tenure, and personal property began in its turn to confer influence and power, every improvement which was introduced in commerce or manufactures was a fresh element of the equality of conditions. Henceforward every new discovery, every new want which grew up, and every new desire which craved satisfaction, was a step towards the universal level. The taste for luxury, the love of war, the sway of fashion, the most superficial as well as the deepest passions of the human heart, coöperated to enrich the poor and to impoverish the rich. From the time when the exercise of the intellect became a source of power and of wealth, it is impossible not to consider every addition to science, every fresh truth, every new idea, as a germ of power placed within the reach of the people. Poetry, eloquence, and memory, the grace of wit, the glow of imagination, the depth of thought, and all the gifts which are bestowed by Providence without respect of persons, turned to the advantage of Democracy; and, even when they were in the possession of its adversaries, they still served its cause by bringing into relief the natural greatness of man: its conquests spread, therefore, with those of civilization and knowledge; and literature became an arsenal, where the poorest and the weakest could always find weapons to their hand. In perusing the pages of our history, we shall scarcely meet with a single great event, in the lapse of seven hundred years, which has not turned to the advantage of equality. The Crusades, and the wars with the English, decimated the nobles, and divided their possessions; the erection of corporate towns introduced an element of democratic liberty into the bosom of feudal monarchy; the invention of fire-arms equalized the villein and the noble on the field of battle; printing opened the same resources to the minds of all classes; the post was established, so as to bring the same information to the door of the poor man's cottage and to the gate of the palace; and Protestantism proclaimed that all men are alike able to find the road to heaven. The discovery of America offered a thousand new paths to fortune, and placed riches and power within the reach of the adventurous and the obscure. If we examine what was happening in France at intervals of fifty years, beginning with the eleventh century, we shall invariably perceive that a twofold revolution has taken place in the state of society. The noble has gone down on the social ladder, and the *roturier* has gone up: the one descends as the other rises. Every half-century brings them nearer to each other. Nor is this phenomenon at all peculiar to France. Whithersoever we turn our eyes, we witness the same continual revolution throughout the whole of Christendom. . . . Is it credible that the democracy which has annihilated the feudal system, and vanquished kings, will respect the bourgeois and the capitalist? Will it stop now that it is grown so strong, and its adversaries so weak? . . . The Christian nations of our age seem to me to present a most alarming spectacle. The impulse which is bearing them along is so strong that it cannot be stopped; but it is not yet so rapid that it cannot be guided. Their fate is in their hands; yet a little while, and it may be so no longer.'" Dissertations and Discussions: M. De Tocqueville on Democracy in America by John Stuart Mill (1840), Vol. 2, pp. 88–90.

p. 511, n. 2: *Id.*, pp. 90–99.

p. 511, n. 3: *Id.*, pp. 140–149.

p. 511, n. 4: Spirit of Democracy by Lyman Abbott (1910). See also an article by Professor Elisha B. Andrews on The Social Plaint in Persistent Questions in Public Discussion, edited by Alexander M. Drummond and Everett Lee Hunt (1924), pp. 159–174.

p. 512, n. 1: Problems of Today by Andrew Carnegie (1909), pp. 32, 117.

p. 512, n. 2: Charles W. Eliot, the Man and his Beliefs, edited by William Allan Neilson (1926), Vol. II, p. 751.

p. 512, n. 3: Janus in Modern Life by W. M. Flinders Petrie (1907), p. 8.

p. 512, n. 4: The Forgotten Man by William Graham Sumner (1918), p. 79.

p. 513, n. 1: Folkways by William G. Sumner (1907), p. 165. Professor Sumner further says (*Id.*, p. 166), "The middle class in western Europe has been formed out of the labor class within seven hundred years. The whole middle class, therefore, represents the successful rise of the serfs, but, since a labor class still remains, it is asserted that there has been no change. On the other hand, there has been a movement of nobles and middle-class grandees downward into the labor class and the proletariat. It was said, a few years ago, that a Plantagenet was a butcher in a suburb of London. It is also asserted that representatives of great mediaeval families are now to be found as small farmers, farm laborers, or tramps in modern England."

p. 513, n. 2: Popular Government by William Howard Taft (1913), p. 93.

p. 514, n. 1: Economics for Executives by George E. Roberts, published by American Chamber of Economics (1923): Vol. on The Primary Industries, p. 48.

p. 514, n. 2: The Underlying Principles of Modern Legislation by W. Jethro Brown (1920), p. 198.

p. 514, n. 3: Earth-Hunger and Other Essays, edited by Albert G. Keller (1913): Essay on The Family and Property by William Graham Sumner, p. 269.

p. 514, n. 4: Wealth of Nations by Adam Smith (1776), bk. v, ch. I, pt. II.

p. 514, n. 5: Have Faith in Massachusetts (1919): Speech February 4, 1916, before the Amherst Alumni Assoc., Boston, by Calvin Coolidge, p. 14.

p. 514, n. 6: Aristocracy and Evolution by W. H. Mallock (1898), pp. 151–174 and 285–322.

p. 515, n. 1: Readings in Social Problems edited by Albert B. Wolfe (1916): Essay on Socialism and Population by Albert B. Wolfe, p. 118.

p. 515, n. 2: Population and the Social Problem by J. Swinburne (1924), p. 313.

p. 515, n. 3: Labor Economics by Solomon Blum (1925), p. 522.

p. 515, n. 4: Americanism and Social Democracy by John Spargo (1918).

p. 516, n. 1: Principles of Economics by F. W. Taussig (1915), Vol. 2, Ch. 65, p. 475.

p. 517, n. 1: North American Review for April, 1928, p. 476.

p. 518, n. 1: Bradford's History of the Plymouth Settlement — 1608–1650: Rendered into Modern English by Harold Paget (1909), pp. 115, 116. Emerson says, "The harvest will be better preserved and go farther, laid up in private bins, in each farmer's corn-barn, and each woman's basket, than if it were kept in national granaries. In like manner, an amount of money will go farther if expended by each man and woman for their own wants, and in the feeling that this is their all, than if expended by a great Steward, or National Commissioners of the Treasury. Take away from me the feeling that I must depend on myself, give me the least hint that I have good friends and backers there in reserve who will gladly help me, and instantly I relax my diligence." The Heart of Emerson's Journals (1926), p. 193.

p. 519, n. 1: William Graham Sumner by Harris E. Starr (1925), pp. 429, 430.

p. 519, n. 2: The Present Economic Revolution in the United States by Thomas Nixon Carver (1925), pp. 210, 211.

p. 520, n. 1: Some Cycles of Cathay by William Allen White (1925), pp. 86, 87.

p. 520, n. 2: The Unfinished Programme of Democracy by Richard Roberts (1920), p. 74. In this connection an article in Harper's for August, 1927 (pp. 265–272), by Aldous Huxley, an English writer, entitled "The Outlook for American Culture" is highly interesting and philosophical.

p. 521, n. 1: Constructive Citizenship by L. P. Jacks (1928), pp. 144, 145. He continues (p. 145), "It dominates even our habits of play, which the many 'go to look at,' and the few to engage in. To the lust for 'sightseeing,' in general and view-hunting in particular, never absent, indeed, but comparatively feeble in simpler societies, an enormous impetus has been given by modern facilities of locomotion and transport. From the urchin at a picture show, the crowd at a football match, the streams of impetuous Americans in an Italian art gallery, the multitudes on the race-course, the million tourists converging on the 'totality belt' for the solar eclipse, to the philosopher in quest of a 'view' of the universe, we have become, to an extent unparalleled in earlier ages, a race of sightseeing nomads. Of old the traveller set forth on his toilsome journey from other motives; to learn a craft or practise one, to hear a teacher or to teach, to pay his devotion at a shrine; *did* something significant in the place he arrived at; gathered wisdom as he passed on his way and left it behind him; then came back a wiser man. By travellers such as these were the arts disseminated, the learning spread, the religions taught which have civilized the world. Alas, for one such traveller today there are ten thousand whose business is done when they have paid their fare and hotel bills and seen the 'sights'; carried about, lodged and fed, at great expense in fuel, road-wear, and human labour; contributing nothing save cash and astonishment to the life of the places they visit and receiving in return — sights, victuals, change of air, and locomotion."

p. 522, n. 1: Social Rights and Duties by Leslie Stephen (1896), Vol. 1, pp. 218, 219.

p. 522, n. 2: Ethics of Citizenship by John Maccunn (1894), pp. 21, 25.

p. 523, n. 1: The Gulf Between by André Siegfried in Atlantic Monthly for March, 1928.

p. 523, n. 2: National Character and the factors in its formation by Ernest Barker (1927), p. 95.

p. 524, n. 1: The Present Conflict of Ideals by Ralph B. Perry (1918), pp. 510, 511.

p. 526, n. 1: The Spirit of Democracy by Lyman Abbott (1910), p. 98.

p. 526, n. 2: *Id.*, p. 133.

p. 526, n. 3: The Forgotten Man by William Graham Sumner (1918), p. 262.

p. 526, n. 4: The Future of Trades-Unionism and Capitalism in a Democracy by Charles W. Eliot (1910), p. 33.

p. 527, n. 1: The Present Economic Revolution in the United States by Thomas Nixon Carver (1925), p. 90.

p. 527, n. 2: *Id.*, p. 123.

p. 527, n. 3: *Id.*, p. 188.

p. 527, n. 4: *Id.*, p. 9.

p. 528, n. 1: American Labor Dynamics, edited by J. B. S. Hardman (1928): Article on The New Capitalism by Lewis Corey, pp. 56–62.

p. 528, n. 2: See article in the Railway Age, August 6, 1927.

p. 529, n. 1: The Privileged Classes by Barrett Wendell (1908), p. 99.

p. 530, n. 1: Economic Problems of Democracy (1923): Lecture on Class Consciousness and Public Opinion by Arthur T. Hadley, pp. 139, 140.

p. 530, n. 2: Popular Government by William Howard Taft (1913), pp. 90, 91.

p. 531, n. 1: The Faith of a Liberal (1924): Address on The Relation of Government to Private Business Enterprise, delivered May 15, 1924, by Nicholas Murray Butler, pp. 242, 243.

p. 532, n. 1: Ancient Rome and Modern America by Guglielmo Ferrero (1914), pp. 24, 59.

p. 532, n. 2: Persistent Questions in Public Discussion, edited by Alexander M. Drummond and Everett Lee Hunt (1924): Essay on American Character by Brander Matthews, p. 29.

p. 532, n. 3: The Privileged Classes by Barrett Wendell (1908), p. 141.

p. 533, n. 1: The Future of Trades-Unionism and Capitalism in a Democracy by Charles W. Eliot (1910), pp. 126, 127.

p. 533, n. 2: The Social and Economic History of the Roman Empire by M. Rostovtzeff (1926), p. 141.

p. 533, n. 3: Lord Bryce wrote: "Towering over Presidents and State Governments, over Congress and State Legislatures, over Conventions and the vast machinery of party, public opinion stands out in the United States as the great source of power, the master of servants who tremble before it." American Commonwealth by James Bryce (new edition, 1914), Vol. 2, p. 267.

p. 533, n. 4: Horace's Odes, Book 3, Ode 2.

p. 533, n. 5: *Id.*, Book 3, Ode 3.

p. 534, n. 1: The Hindrances to Good Citizenship (1909): Lecture IV, How to Overcome the Obstacles to Good Citizenship by Viscount James Bryce, p. 129.

p. 534, n. 2: Rome: Its Rise and Fall by Philip Van Ness Myers, 2nd Ed. (1901), p. 65.

p. 534, n. 3: The American Spirit in the Writings of Americans of Foreign Birth, edited by Robert E. Stauffer (1922): The American Ideal by Felix Adler (Reprinted from The World Crisis and Its Meaning), p. 81.

p. 534, n. 4: Persistent Questions in Public Discussion, edited by Alexander M. Drummond and Everett Lee Hunt (1924): Address on The Religion of the Future by Charles W. Eliot, p. 245.

p. 535, n. 1: Early Life and Letters of John Morley by F. W. Hirst (1927), Vol. I, Introduction, p. xxiii.

p. 535, n. 2: Education and Citizenship by Simeon E. Baldwin (1912), p. 125.

p. 536, n. 1: Autobiography of Charles Francis Adams (1916), p. 210.

p. 536, n. 2: Charles W. Eliot, the Man and His Beliefs, edited by William Allan Neilson (1926), Vol. I, p. 92. He also wrote, "The nineteenth century witnessed a considerable change in the destination of endowments. Endowments for palliating some of the evils that afflict society used to be the commonest, such as endowments for almshouses, doles, and hospitals; but now endowments for various sorts of education — such as academies, colleges, free-lecture courses, libraries, and museums supply — have become the commonest; and these last forms are far the wisest, because they are much more than palliations of evil. They are creators and diffusers of good. Through this change the chance of the very rich man to do perpetual good with his money has been greatly increased; and surely the hope of doing some perpetual good with the product of one's intelligence, skill, and industry is one of the brightest of human hopes." *Id.*, Vol. II, p. 622.

p. 537, n. 1: Henry K. Norton in his book on China and the Powers (1927), speaking of war, plague, disease, and famine cutting down the Chinese population to livable limits says (pp. 190–192): "The Chinese accept all of this with philosophical calm. They have become accustomed to it and look upon it as the natural means of preserving a proper balance between numbers and food. Famine relief on any adequate scale and of wide application is a product of foreign origin. Some mandarins have taken it up because it offers the opportunity to handle additional funds, but the idea and, in most cases, the execution are foreign. To the Occidental the prevalence of these conditions is unbearable. The sight of innumerable dead and dying revolts him. He must rush help to the suffering and food to the starving. He must bring medical aid to the sick and save lives where lives can be saved. So we have the country dotted with foreign hospitals and dispensaries, with devoted doctors and nurses serving in exile a strange people. So we have elaborate organizations for the expenditure of millions of dollars subscribed by the generosity of America and other countries. Much and excellent work is done in extending aid to the stricken Chinese. Yet if ever a business labored under the curse of Sisyphus it is this of famine relief. In a country so overcrowded that one man in every ten is barely holding on to life with the last ounce of his strength, the problem is desperate. A rise of only a fraction of a copper in the price of food means that hundreds of thousands more must fail in the effort to sustain life. Picking up one man who has fallen, restoring him to health and strength and turning him loose once more to compete with his fellows, means that some other must go down. One life is saved, but it is at the expense of another and the net result is nil. Sending money to the country to buy food for the starving operates in the same way. It puts sustenance into the mouths of those relieved, but the inevitable rise in prices puts as many more below the starvation line. We save those in sight and condemn those beyond our view. China is like a huge raft crowded far beyond its capacity with ship-wrecked human beings. Many are swimming about in the water, but for each one pulled aboard on one side some one else is pushed off on the other side. The raft will hold no more. The only real famine relief in China would be to bring in from the outside the food necessary to sustain those at present starving, not only for this year, but for the rest of what would then be their natural lives. We should thus relieve the present surplus, but long before they had passed from the scene another generation's recruits to the ranks of the helpless would be crying for relief, and we should in turn have to add them to our number of dependents."

The time may come when Americans will build and endow an American college in China, manned by Chinese educated in America or Europe, and designed to teach fundamental principles of political economy, sociology, and industrial organization, including the causes and cure of overpopulation. Western education will teach the Chinaman that his belief is wrong that he should have as many children as possible, so as to be sure that numerous infantile deaths will still leave him a surviving male descendant — the religion of ancestor worship. When he comes to realize that a choice few are better than a commonplace many, overpopulation will cease.

Freeman, an English writer, says, "Throughout the succeeding ages we may watch the growth of altruism, with the accompanying softening of manners. In all the nobler religions duty to God was linked with duty to man, and charity, self-sacrifice and effective sympathy elevated to a lofty place among the virtues. Very instructive as witness to this growing tendency to altruism, is the contrast of the ethical conceptions exhibited in the Old Testament with those of the New; of the stern, forbidding, often cruel, but usually equitable teachings of the Old Law with the soft, gentle but frequently inequitable teachings of its successor. If we compare the dictum that 'if a man will not work, neither shall he eat' with the command to 'sell all that thou hast and give to the poor' we can perceive the nature of the change; the replacement of rigid justice and strict regard for the larger interests of the community by a sentimental altruism that tends to ignore the interests of mankind as a whole and to accept the claims of a class which is prepared habitually to receive gifts without the offer of any 'consideration' in the form of goods or services. And along these lines has the advance continued. The exaltation of charity, of sympathy, of the self-suppressing virtues generally, has been the key-note of Christian ethics. The claims of misfortune and suffering have received continually increasing recognition until, from being a matter for reproach they have almost become a merit; as we see, even in the Middle Ages, when poverty — the outward sign of social failure — became adopted voluntarily as a virtue, and, as one of the 'Counsels of Perfection' made the subject of vows. The growth of these gentler sentiments constitutes an undeniable advance in the intrinsic qualities of the race. Yet there is a heavy contra account. For the exercise of the newly-developed qualities amounts to a partial suspension of that struggle for existence by which in the past the efficiency of the race had been maintained. Charity, benevolence, philanthropy, are all agencies by which, in the long run, the elimination of the unfit is hindered. But the elimination of the unfit is the indispensable and only means by which the continued adjustment of the race to its environment can be secured." Social Decay and Regeneration by R. Austin Freeman (1921), pp. 275, 276. See also pp. 584–587 *supra.*

p. 537, n. 2: Johann C. F. Von Schiller, translated and quoted in Golden Poems by British and American authors, edited by Francis Fisher Browne (1907), p. 473.

p. 537, n. 3: The Citizen by Nathaniel S. Shaler (1904), pp. 44, 45.

p. 538, n. 1: Essay on Worship by Ralph Waldo Emerson. On the death of Edward J. Pearson, president of the New Haven Railroad in November, 1928, Ex-President Hadley of Yale said: "Of the arts, by which popularity is commonly secured, he had not a trace; but he had the traits of character which brought life-long friends among those who were doing their work in the spirit with which he did his — for the sake of the thing to be accomplished and not for personal remuneration. For them he gave generously of his strength as long as it lasted; for them he laid down his life when strength was gone."

p. 538, n. 2: "Does not the whole wretchedness," writes Carlyle, "the whole *Atheism*, as I call it, of man's ways, in these generations, shadow itself for us in that unspeakable Life-philosophy of his: The pretension to be what he calls 'happy'? Every pitifulest whisper that walks within a skin has his head filled with the notion that he is, shall be, or by all human and divine laws ought to be 'happy.' . . . The only happiness a brave man ever troubled himself with asking much about was, happiness enough to get his work done." Past and Present by Thomas Carlyle (1843); Book III — The Modern Worker, Chap. IV. "The doctrine of the 'Greatest Happiness' propounded by Bentham as a principle of legislation, transformed by the Mills into a principle of ethics, and subsequently denounced by Carlyle as 'a very paltry speculation,' has now virtually vanished from the high places of philosophy. But though officially discredited it has left a considerable deposit in the general mind. First you have the assumption, to which I have just referred, that man has a right to be happy, so that, if he should chance to be unhappy, he has some kind of grievance to complain of against the universe or against his fellow men." Responsibility and Culture by L. P. Jacks, Principal of Manchester College, Oxford (Yale Lectures on the Responsibilities of Citizenship — 1924), p. 19. President Eliot wrote: "In trying to enumerate the positive satisfactions which an average man may reasonably expect to enjoy in this world, I, of course, take no account of those too common objects of human pursuit, wealth, power, and fame; first, because they do not, as a rule, contribute to happiness; and secondly, because they are unattainable by mankind in general. I invite you to consider only those means of happiness which the humble and obscure millions may possess. The rich and famous are too few to affect appreciably the sum of human happiness." Charles W. Eliot, the Man and His Beliefs, edited by William Allan Neilson (1926), Vol. II, pp. 416, 417. He also wrote: "With the rarest exceptions, the death of each human individual is followed in a short time by complete oblivion, so far as living human memories are concerned. Even family recollection or tradition quickly becomes dim, and soon fades utterly away. . . . Even men accounted famous at their deaths slip from living memories and become mere shadows or word-pictures — shadows or pictures which too often distort or misrepresent the originals. Not one human being in ten million is really long remembered. For the mass of mankind absolute oblivion, like death, is sure. But what if it is? Should this indubitable fact affect injuriously the mortal life in this world of the ordinary human being? Not at all. . . . A few unusually imaginative and ambitious persons are doubtless stimulated and supported by the hope of undying fame — a hope which in the immense majority of such cases proves to be a pure delusion." *Id.*, Vol. II, pp. 439, 440.

p. 538, n. 3: Democracy and Leadership by Irving Babbitt (1924), p. 201. See also p. 228 *supra* as to labor.

p. 538, n. 4: See Education and Citizenship (1919): Essay on Culture and Commercialism by Edward K. Graham, pp. 65–92.

p. 539, n. 1: Expansion of Races by Charles Edward Woodruff (1909), pp. 59, 86. Chauncey Depew once remarked "Luther said, in explaining why he worked so hard until the end of his life, 'When I rest I rust.' That is true. The mind and heart are machines. They must be kept busy to prevent their rusting. I have known many men who retired from work, as they said, to enjoy life. As a rule, after the first year they are bored blue. Then they begin to think more of their health than anything else. They imagine they have all the diseases described in patent medicine advertisements. Then they take the patent medicines. And then they die." Addresses and Literary Contributions on the Threshold of Eighty-Two by Chauncey M. Depew (1914–1916), p. 268.

p. 540, n. 1: Constructive Citizenship by L. P. Jacks (1928), pp. 169, 170. He continues (pp. 170, 171): "For a long time past voices and modes of speech have been current among us which may seem, in the eyes of many, to do duty as an industrial version of morality. They plead for 'equality of opportunity' as the ground principle of a just industrial life, and from that they go on to urge the obligation of better conditions in industry, humane relations between employers and employed, and, above all, for a fair and equitable distribution of the riches won by the common labour. But all these pleadings, admirable as their objects are, fall far short of the industrial version of morality as conceived by the pioneers I have just named. For them the root of the matter was, primarily, no question of the conditions under which work is done, nor of wages received for its performance. *It was the question of the work itself.* Was this good work or bad?" And again (pp. 180–182) speaking of conscientious workers he says: "They are to be found on the highest levels of the business world, notably in banking and mutual insurance, where high traditions of trusteeship, with a firm root in time, are well established; and the co-operative movement, both in production and distribution, has done much to promote them in trade generally. Further examples abound. In our own country the judicial bench, as trustee for the administration of the law, has proved itself incorruptible; a corruptible judge is no longer a danger we have to fear; anyone who will take the trouble to attend a day's pleadings in the High Court of Appeal will see an example of trusteeship in its highest form. Our police courts tell the same story, and will tell it more impressively, I think, with the appointment of more women as magistrates; for women, once appealed to on that side, make admirable trustees — their true function as citizens. In the medical profession a high standard of honour dominates the mercenary interest, which exists, but is not allowed to rule; if it did, the confidence of the public would be forfeited immediately. A good doctor is, and knows himself to be, a trustee for the life of his patient. More remarkable still are the conditions in the realm of science. Intellectual co-operation goes on apace; scientific workers all over the world are tending to become a single community, conscious of immense obligations to mankind. As this develops, the ideal of service based on veracity, which many a scientific man cherishes in isolation, will become the actuating motive of a mighty group, conscious of itself as the world's trustee for speaking the truth, and a growing bond of union among all nations. For it is a law in these matters that the morality of a community does not develop until, like an army, it becomes conscious of itself as a unitary moral agent." And still again (pp. 191, 192): "There recently died in America Dr. Charles Proteus Steinmetz. He was a pioneer in developing the uses of electricity, a genius in that department, and for many years had been a technical expert in the service of the General Electric Company, one of the great industrial corporations of America. He was reputed to be enormously rich, and many tall tales were told of his shareholdings in the company and of the colossal salary he received for his services. When his will was made public people learned to their astonishment that all the goods he possessed in this world consisted of a workman's life policy for £300, an antiquated car, and a few other trifles. It then turned out that his shareholdings were *nil*, and that he had received no salary at all. By his own act and will he had refused these things. 'I will do my work for its own sake,' he said; 'money shall have nothing to do with it.'" And again (p. 293), "'Man longs,' says Kant, 'to live in comfort and pleasure, but Nature, who knows better what he was made for, gives him toil and painful strife, so that he may raise himself above the sphere of his sorrows.'"

p. 540, n. 2: *Id.*, p. 106.

p. 540, n. 3: Lecture on The Influence of America (1895–9) republished in Lectures on the French Revolution by John E. Acton (1910), p. 33.

p. 540, n. 4: Democracy and The War by John Firman Coar (1918), p. 105.

p. 541, n. 1: The Study of American History by Viscount James Bryce (1922), pp. 41, 42.

p. 542, n. 1: Democracy and Leadership by Irving Babbitt (1924), p. 204.

p. 543, n. 1: See The Relation of Government to Industry by Mark L. Requa (1925), pp. 60, 61. Archibald R. Colquhoun (English) in his Greater America (1904), pp. 10, 11, says: "It would, perhaps, seem impossible to an American that a great territorial magnate — a duke or an earl — should spend part of his time in discharging the functions of a provincial mayor; but this does not seem to us a surprising self-sacrifice on his part. We are accustomed to regard devotion to unremunerative public duty as the natural field of energy for any man who can afford it." Frederic Harrison, also an English writer, said: "We have a considerable class of men, having wealth, experience, energy, and the habits of command, who are always ready to devote their time to the public service without reward or official rank. On the other hand in the Republic, the imperative sense of abstract equality, and unbounded faith in the electoral machine as the panacea and palladium of democracy, force men of wealth either to be idle or to stick to their counting-house, and force men of ability to disclaim any pretension to lead or direct their fellow-citizens except as their nominees and agents." George Washington and other American Addresses by Frederic Harrison (1901): Address on Municipal Government, p. 221.

p. 544, n. 1: See The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. 1, §§ 171, 172, 169, 180.

p. 544, n. 2: *Id.*, § 10, p. 20, and § 171, p. 601.

p. 544, n. 3: See note 1, p. 61, of the Agricultural Problem in the United States, published by the National Industrial Conference Board (1926).

p. 544, n. 4: Senator Arthur Capper of Kansas in Current History, May, 1926, p. 189. The Agricultural Problem in the United States (p. 59), referred to above, puts this figure at $1500.

p. 546, n. 1: The Faith of a Liberal (1924): Address on The Changing Foundations of Government, delivered December 10, 1921, by Nicholas Murray Butler, pp. 73, 74.

p. 546, n. 2: Economic Problems of Democracy (1923): Lecture on Collective Bargaining in Politics by Arthur T. Hadley, p. 103.

p. 547, n. 1: English Traits — Wealth by Ralph Waldo Emerson.

p. 550, n. 1: On the other hand Brown, an English writer, says: "The state has long been jealous of associations within its borders. It has wished to retain full sovereignty in its own hands, and it has echoed the sentiments of Thomas Hobbes, who urged that all such associations should be drastically purged away as being worms in the entrails of Leviathan. But Leviathan is neither omnipotent nor omniscient. It has proved, in fact, to be a clumsy and a blundering monster, utterly incapable of varied and delicate motion. Accordingly, it must undergo a salutary course of vivisection. We have no animus against the colossal governmental unit; indeed, we have admitted its imperative necessity with the world moving as it is. But our only safeguard against the tyranny of the administrative machine is constant decentralisation." The Meaning of Democracy by Ivor J. C. Brown (1920), p. 151.

p. 550, n. 2: Professor Carver of Harvard very well says (see The Foundations of National Prosperity — 1917 —: Part IV, Conservation of

Human Resources, p. 358): "Those half-baked economists who are sometimes contemptuously referred to as 'magazine economists' pretty generally teach the doctrine that a lavish consumption of wealth is a good thing, especially for the laboring classes. They point out clearly enough that to spend money freely for articles of luxury tends to give employment to men in the luxury-producing industries. What they do not point out is that money spent on luxuries cannot be spent on other things; that it would give just as much employment to labor to spend money on architectural monuments as on millinery or 'delicatessen.' Or, to take a more commonplace illustration, it gives just as much employment to labor to spend money for tools, brick and mortar, steel girders and other building materials, together with machines and implements, as it does to spend money for immediate self-gratification. The difference, however, is that in the case of the expenditure of money for permanent things, society has something left to show for the labor which was expended, whereas if money is spent for ephemeral pleasures, there is nothing left to show for the labor which was used up in the production of these pleasures."

p. 551, n. 1: Some Leading Principles of Political Economy by John E. Cairnes (1884), pp. 34, 35.

p. 551, n. 2: There is an old Arabian proverb that says: "Men are four: He who knows and knows he knows, he is wise; follow him. He who knows and knows not he knows, he is asleep; wake him. He who knows not and knows not he knows not, he is a fool; shun him. He who knows not and knows he knows not, he is a child; teach him."

p. 551, n. 3: Essay on Wealth by Ralph Waldo Emerson.

p. 552, n. 1: The New England Conscience by James P. Munroe (1915), pp. 61, 62.

p. 553, n. 1: The Forgotten Man and Other Essays by William Graham Sumner (1918), p. 253.

p. 554, n. 1: *Id.*, p. 269.

p. 555, n. 1: American Individualism by Herbert Hoover (1922), p. 46.

p. 556, n. 1: Our Federal Republic by Harry Pratt Judson (1925), Introduction, p. vii.

p. 557, n. 1: Speech of Senator Wadsworth, January 16, 1926. Senator Borah in the "Nation's Business" for February, 1927, said: "The right and authority of the people to manage and control their own affairs of an immediate and local nature, affairs peculiar to the community or the state, is beyond all price. There is nothing for which the people can afford to exchange it. It is the most genuine democratic principle found in our entire structure of government. It means more to the happiness, the dignity and the power of the people than any other right they are permitted to enjoy. Destroy it, and the average citizen becomes the victim of bureaucratic interference, annoyed constantly by its persistent intrusions upon the affairs of his daily life and burdened by its chronic inefficiency and habitual waste. If there ever was a real struggle for popular rule and for the preservation of the popular voice in politics and government, it is in this effort to conserve for the people the right to control and administer their local affairs in accordance with local wisdom and local conditions" (p. 16).

p. 557, n. 2: Constitutional Law by Thomas M. Cooley (1880), p. 143. President Coolidge has also said, "The country's growth has compelled the Federal establishment to exceed by far the Government plants of even the greatest States. With this growth in physical extent, in revenue, in personnel, there has inevitably been the suggestion that the Federal Government was overshadowing the States. Yet the State governments deal with far more various and more intimate concerns of the people than does the National Government. All the operations of the minor civil divisions, parishes, wards, school districts, towns, cities, counties, and the like, are dependencies of the State. The maintenance of order through police, the general business of enforcing law, is left to the States. So is education. Property is held and transferred on terms fixed by the States. In short, the structure of social and business relationship is built chiefly about the laws of the States. It depends upon the exercise by the States of that vastly greater share of Government power which resides in them, to the exclusion of the Federal Government. In ordinary times nearly the entire burden of taxation represents State and local demands." Foundations of the Republic by Calvin Coolidge (1926): The Reign of Law, Address at the Memorial Exercises, Arlington National Cemetery, Washington, D. C., May 30, 1925, p. 227. Cannon, the Republican Speaker of the House of Representatives, said: "In some respects I am an old fashioned Democrat. Do you know that the contest during the Civil War was as to whether or not the limited jurisdiction of the United States should be destroyed by the will of any state? It was decided in the negative. And yet, the cry that was then lifted up for local self-government in municipalities, in townships, in counties, in states — letting each citizen daily come in contact with the Government he helps to create and pays for by direct taxation — it is a proposition that is absolutely necessary to be realized by all of us and enforced by all of us, if we are to remain competent for self-government. No man can walk for another. No man who is worthy of exercising the franchise can walk under the shadow of another man's hat rim. The farther we get away from this idea of local self-government in municipality, in township, in county and in state, the less competent we are to be good citizens." Uncle Joe Cannon, The Story of a Pioneer American as told to L. White Busbey (1927), p. 129.

p. 557, n. 3: Lecture on The Influence of America (1895–9) republished in Lectures on the French Revolution by John E. Acton (1910), p. 37.

p. 559, n. 1: Foundations of the Republic by Calvin Coolidge (1926): States Rights and National Unity, Address at the College of William and Mary, Williamsburg, Va., May 15, 1926, p. 411. Lord Bryce well says, "It was the glory of our two countries to have held the torch of liberty aloft in days when there were hardly any other free governments in the world and when the dumb populations lay prostrate at the feet of arbitrary power. And it has been the glory of your country in later days to render another great service to humanity, by showing how it is possible to establish and maintain national unity over the vast spaces of a continent, and at the same time to secure the fullest development of self-government in State, in county, and in city over those vast spaces. That was a problem which would have been deemed hopeless and insoluble a century and a half ago, but the example of your success has now set your system on high as a beacon for the world to follow. Your Constitution, by the example it has set of its working and by the halo of fame which now surrounds it, has become one of the vital and vitalizing forces of the modern world. Let us honour the group of illustrious men who, meeting in Philadelphia one hundred and twenty-five years ago, rendered this incomparable and enduring service not to you only, but also to all mankind." University and Historical Addresses by James Bryce (1913): Address on The Constitution of the United States, delivered December 14, 1912, p. 425. Brown, an English writer, says the democrat "claims that it is better for the community to assume responsibility, to make its own efforts towards self-government, and to struggle on through blunders to its goal, than to sit down quietly and to hire experts to come and undertake its administration as they might contract for a business order. Quite apart from the fact that experts are often frauds, and make a far greater mess of their work than would an ordinary 'bus-driver' if called to cabinet rank, it is thus seen that the British process of 'muddling through' is well in the democratic tradition. It would be ridiculous to say that democratic government is necessarily muddled, but it is quite fair to say that, even if it is muddled, this does not by any means settle the question. It all comes back to a point of ultimate values. Which is preferable: to govern yourself and to do it only moderately well, or to sit down passively and to have it done for you? The answer, surely, will depend on the nature of the operation in question. If it is something purely material, like having your hair cut, or your teeth drawn, then there can be no possible reason for refusing expert assistance, unless the charges are too heavy for the nature of the service rendered. No spiritual benefit can be gained from wasting time with the scissors and cutting your hair off in patches, or from attaching a piece of cotton to your tooth and pulling hard. But government is not a purely material question. Where it is purely material, as in the provision of drains, it is certainly best to place an expert in charge. But in the direction of policy, in the choice of ends, not of means, in choosing the kind of life and the kind of happiness that the community should strive for, government becomes a spiritual affair. And here it is indubitably better that the individual should act for himself than that he should be continually led from above. This is not a preference that can be proved to be either right or wrong; it is a question of taste. But in the dispute the true democrats will all be on one side. To them the development of personality by choice and the assertion of will is essential. It is just this which makes the really free man and distinguishes him from what Shakespeare calls the 'base mechanicals.' Democracy is a philosophy not only for corporate bodies, but for the individual. If he prefers to sleep away his life with the pleasant faith that his hireling politicians will play policemen, he is at liberty to do so. If, on the other hand, he prefers to shape issues for himself, to show himself a free and responsible person in choice and action, to control as far as he can the conditions of his labour, and the amenities of his local life, then he may toil and sweat in vain, he may encounter disappointment and disaster, but, should he obtain success, his exhilaration will far exceed in quality the placid happiness of the drowsy underlings of Caesar." The Meaning of Democracy by Ivor J. C. Brown (1920), pp. 159–161.

p. 561, n. 1: Dissertations and Discussions: M. De Tocqueville on Democracy in America by John Stuart Mill (1840), Vol. 2, pp. 102, 103, 106, 107, 108, 109.

p. 562, n. 1: See A Century of Population Growth (1909), p. 121.

p. 562, n. 2: Immigration by Henry Pratt Fairchild, Revised Edition (1925), pp. 55, 56.

p. 563, n. 1: Our Foreigners by Samuel P. Orth (1920), p. 38, being vol. 35 of Chronicles of America.

p. 563, n. 2: See Eugenical News, August, 1927, containing address of Frank L. Babbott, president of Eugenics Research Association.

p. 563, n. 3: See Census Monograph published in 1922, p. 98.

p. 563, n. 4: *Id.*, p. 101.

p. 564, n. 1: Our Foreigners (*supra*) by Samuel P. Orth (1920), p. 32.

p. 564, n. 2: The United States of America by Albert Perry Brigham (1927), p. 242.

p. 564, n. 3: See Immigration by Henry Pratt Fairchild (1925), p. 451. Professor Franklin H. Giddings of Columbia in Readings in Descriptive and Historical Sociology (1923) says, pp. 110, 111: "The question of real interest, therefore, is, Will the American people of the future be on the whole English, or Celtic, or Teutonic, or Latin, or Slavic, or will it be some new and hitherto unheard of amalgam of all these elements? Much foolish speculation and more foolish pessimism has been indulged in on this subject. The census returns enable us to answer the question with assurance, yet, curiously, the answer, so far as I know, has never hitherto been worked out from the data at our disposal. Let us see what these data are and what they reveal. The various nationalities which make up our foreign born population fall naturally into five ethnic groups, namely: the English-Teutonic, including Australians, Danes, English, Finns, Germans, Hollanders, Poland-Germans, Norwegians, and Swedes; the Celtic, including the Irish, the Welsh, and the Scotch; the Celto-Latin, including the Belgians, the French, and the French Canadians; the Ibero-Latin, including the Greeks, the Italians, the Portuguese, and the Spanish; and the Slav, including the Austrians, the Bohemians, the Hungarians, the Poland-Austrians, the Poland-Russians, the Roumanians, and the Russians. If the census statistics of nationality be classified according to these ethnic groupings it will be found that in the North Atlantic division 35.98 per cent of the foreign born are of the English-Teutonic stocks. In the South Atlantic division 51.63 per cent; in the North Central division 71.44 per cent; in the South Central division 54.22 per cent; and in the Western division 57.53 per cent, are of these stocks. In the entire United States 52.9 per cent of the foreign born are of English-Teutonic stock. In the North Atlantic division 29.40 per cent of the foreign born are Celts; in the South Atlantic division 23.32 per cent; in the North Central division 11.97 per cent; in the South Central division 14.64 per cent; in the Western division 18.77 per cent are Celts. In the whole United States 20.9 of the foreign born are Celts. Practically 75 per cent of the foreign born in America are of English-Teutonic and Celtic stocks. When we remember that the English people was created by the amalgamation of Teutonic with Celtic blood, we see how little reason there is to expect that the American people will ever be anything but essentially English." He further says (p. 210), "The Baltic peoples are aggressive, domineering, and creative. In energy and ambition they surpass other branches of the white race. The great predominance of the Baltic stocks in the American population hitherto, combined with the conditions peculiar to a new country, have made us preëminently an energetic, practical people, above all, an industrial and political people. There is no reason to suppose that the dilution of the Baltic blood which is now going on will be sufficient to impair seriously these qualities, particularly in view of the fact already presented, that the Mississippi valley, overwhelmingly English-Teutonic in stock, industrially and politically dominates the continent."

p. 564, n. 4: A History of American Immigration by George M. Stephenson (1926), Introduction, p. 9. Henry Ward Beecher in 1876 said (See Historical and Patriotic Addresses, edited by Frederick Saunders — 1893 — Oration on The Advance of a Century, pp. 359, 360), "Look then at our population. See what it is, spread abroad through all the land. It might almost be said that America represents every nation on the globe better than the nation represents itself. We have the best things they have got in Ireland, for we have stripped her almost bare. We have the canny Scotchman in great numbers among us, though not enough for our own good, and too many for Scotland's good. We have the Englishman among us, and are suspected ourselves of having English blood in our veins! We have also those from Norway, Sweden, Denmark, Russia even, Germany, Austria and Hungary, Italy, Spain, France, Switzerland. . . . What are they as component elements of a new American stock? Do you believe in stock — do you believe in blood? I do. Do you believe in 'crossing' judiciously? Do you believe that the best blood of all nations will ultimate by and by in a better race than the primitive and the incomplex races? Mixed now in kindly alliance we have fortified and enriched our blood. . . . We are enriched beyond the power of gratitude. I for one regard all the inconveniences of foreign mixtures, the difference of language, the difference of customs, the difference of religion, the difference in domestic arrangements — I regard all these inconveniences as a trifle; but the augmentation of power, of breadth, of manhood, the promise of the future, is past all computation; and there never was, there never began to be in the early day, such promise of physical vigor and of beauty and energy and life as there is to-day upon this continent." That was true in 1876, over fifty years ago. If Beecher were here now I doubt whether he would speak in such optimistic terms.

p. 565, n. 1: Canada also was faced with this problem. Between 1897 and 1914 about 3,000,000 immigrants poured into Canada. Oscar D. Shelton in The Canadian Dominion (1919), p. 208, being vol. 49 of Chronicles of America, says: "Never had any country so great a task of assimilation as faced Canada, with 3,000,000 pouring into a country of 5,000,000 in a dozen years. Fortunately the great bulk of the newcomers were of the old stocks."

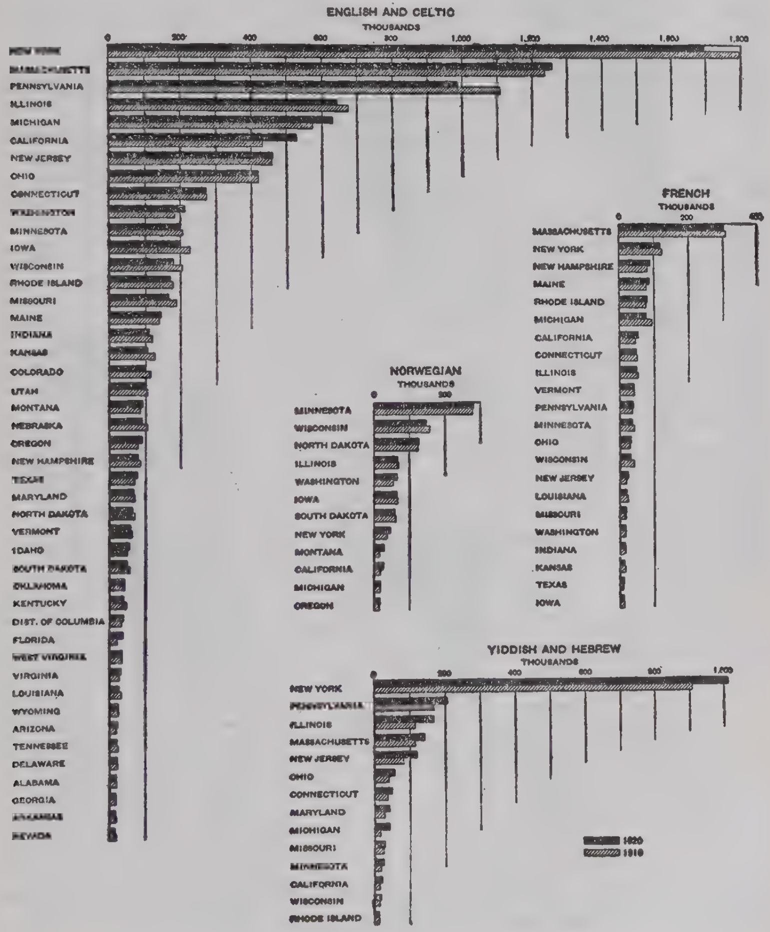
p. 565, n. 2: Our Foreigners by Samuel P. Orth (1920), p. 163, being vol. 35 of Chronicles of America.

p. 565, n. 3: See Immigration by Henry Pratt Fairchild (1925), pp. 193–195.

p. 566, n. 1: Re-Forging America by Lothrop Stoddard (1927), pp. 338, 339, 341, 342.

p. 566, n. 2: See below and next page.

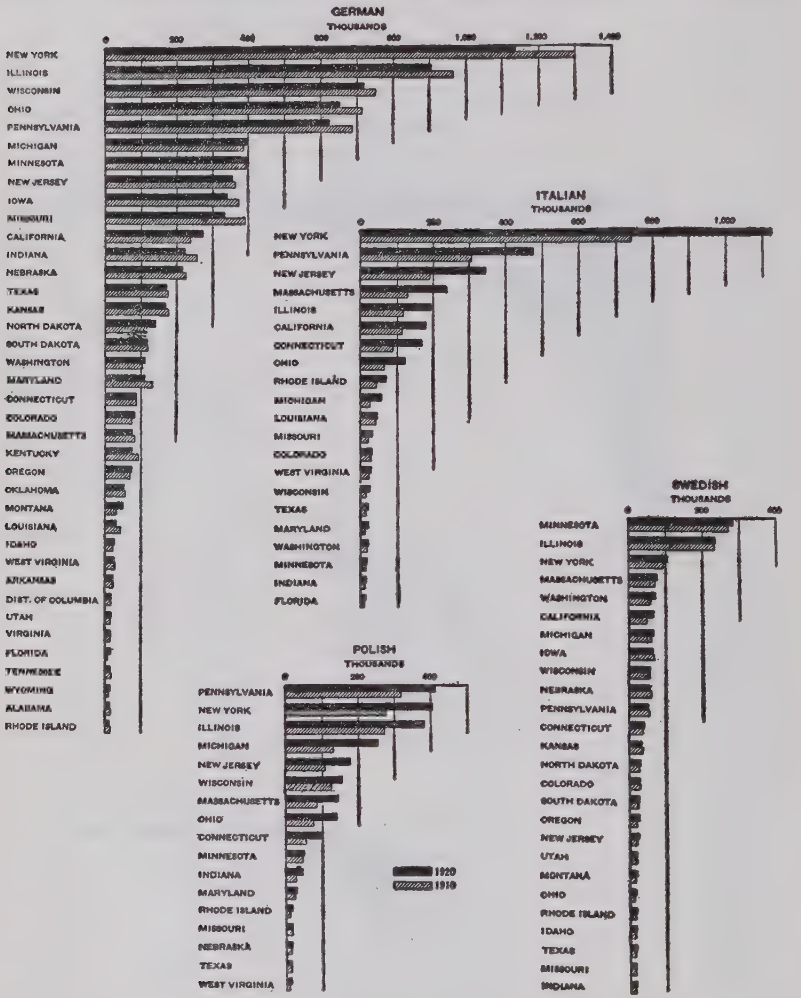
DISTRIBUTION OF FOREIGN WHITE STOCK HAVING SPECIFIED MOTHER TONGUES, FOR SELECTED STATES: 1920 AND 1910.



(for pp. 566–567)

p. 566, n. 2 Continued:

DISTRIBUTION OF FOREIGN WHITE STOCK HAVING SPECIFIED MOTHER TONGUES, FOR SELECTED STATES, 1920 AND 1910.



p. 567, n. 1: 12th Census, Supp. Anal., etc. Tables: Table 67. See Fairchild on Immigration (1925), p. 227.

p. 567, n. 2: Expansion of Races by Charles Edward Woodruff (1909), p. 211.

p. 567, n. 3: Biology is the science of all life; genetics the science of heredity; eugenics the science of the various agencies which may improve or impair the inborn qualities of future generations; hygiene the science that relates to the preservation and improvement of health, both in individuals and in communities, sanitary science.

p. 568, n. 1: Pearson claims that at least some of them are inherited. See Being Well-Born by Michael F. Guyer (1916), p. 19.

p. 569, n. 1: See The Direction of Human Evolution by Edwin G. Conklin (1925), pp. 12, 13. Professor Conklin says in that book, "In natural or biological inheritance the germinal causes of the traits of the parents are separated and are redistributed to their offspring so that the latter are 'mosaics' of ancestral traits. These germinal causes of traits, which are called genes, are transmitted unchanged, but in the fertilization of the egg one-half of the genes from each parent is lost and is replaced by half from the other parent. So numerous are these genes that the combinations of them in the offspring are rarely, if ever, the same in two individuals, and so complex is their influence upon one another and upon the process of development, that no two sexually produced individuals are ever exactly alike. Consequently the best traits may appear in parents and be lost in their offspring; genius in an ancestor, may be replaced by incompetence, imbecility, or insanity in a descendant. As each generation must start life anew from the germ cells, so in every person there is a new distribution of hereditary factors or genes. Every person has a new hereditary deal, if not always a square one. Owing to the fact that some traits, or rather their genes, are dominant and others recessive, certain of the latter may be carried along for several generations in a latent condition only to appear in some later offspring in which the dominant gene is not present. . . . The number of chromosomes is constant for every species, and typically each chromosome has come down in unbroken lineage from previous generations. But in the formation of the germ cells one-half of the specific number is thrown away and when egg and sperm unite the specific number is again restored. In man there are probably forty-eight chromosomes, twenty-four from the father and twenty-four from the mother; but these are usually derived in unequal numbers from the four grandparents; for example, sixteen may come from the paternal grandfather and eight from the paternal grandmother, four from the maternal grandfather and twenty from the maternal grandmother, or the number which comes from each grandparent may vary all the way from twenty-four to naught. One or more of the eight great-grandparents may have furnished no chromosomes and no inherited traits to the great-grandchild, and finally no one in the world can inherit chromosomes (or traits) from more than forty-eight contemporary ancestors, assuming that the chromosomes preserve their identity, since no one has more than forty-eight chromosomes. Consequently, although each of us has had thousands of ancestors, he has had only a small number of transmitters. Many a person bears the name of some distinguished ancestor but does not have a single one of his chromosomes or hereditary traits, whereas others who do not bear his name, and are usually reckoned as collateral descendants, have received his chromosomes and are his true inheritors" (pp. 128, 129, 136, 137).

p. 569, n. 2: Professor Conklin says, "There is no doubt that certain types of mind and disposition are characteristic of certain families," and that "strength or weakness of will, a tendency to moral obliquity or rectitude, capacity or incapacity for the highest intellectual pursuits, occur frequently in certain families and appear to be inherited. In spite of certain noteworthy exceptions, which may perhaps be due to remarkable variations, statistics collected by Galton show that genius runs in certain families. . . . The entire organism, consisting of structures and functions, body and mind, develops out of the germ, and the organization of the germ determines all the *possibilities* of development of the mind no less than of the body, though the actual realization of any possibility is dependent also upon environmental stimuli." Heredity and Environment in the Development of Men by Edwin Grant Conklin, 5th ed. (1922), pp. 71, 72. As to environment or extrinsic factors Professor Conklin says, "In the field of intellect and morals most persons are inclined to place greater weight upon the extrinsic than upon the intrinsic factors, but this opinion is not based upon demonstrable evidence." *Id.*, pp. 252, 253. Professor Lennes in his book on Whither Democracy? by N. J. Lennes (1927), pp. 208–212, quotes from eight eminent biologists to prove that mental capacity and characteristics are inherited. He also says (pp. 215, 216), "it is safe to say that in the opinion of the majority of those who have made this subject a life study it is very doubtful if a genuine case of inheritance of acquired characters has ever been observed," and then he quotes (pp. 216–221) eight authorities to that effect.

Sadler says: "The reflexes and instincts are all 'inborn and transmissible' . . . and tend to reappear in all normal offspring." An instinct is a chain of reflexes by groups of nerve centres. The truth about Heredity by William S. Sadler (1927), pp. 96, 97. He also says: "It would seem that the law of development, then, begins first with reflex action; developing later into instincts; while the last and higher development of mind is memory. Imagination, intelligence, reason, and judgment, are merely mental powers and activities which are made possible by the fact that the individual has a memory which is able to associate its ideas, impulses, and sensations. Without memory, there would be little or nothing to our so-called intellectual life." *Id.*, pp. 104, 105. Professor East says: "No matter what value one may assign to precept and example in moulding the mind of man, his mentality is due fundamentally to his hereditary endowment, to his inborn traits." Heredity and Human Affairs by Edward M. East (1927), p. 67.

Langdon Mitchell says, "'The New Republic,' in one of its editorials of now some years ago, asserts that if the Imperial Wizard of the Ku Klux Klan really knew anything about biology, 'he would be aware that the most competent authorities' incline toward the view that 'such obvious discrepancies as appear between the average Alabama negro and the average inhabitant of Vermont are mainly due to environmental factors,'" and then Mitchell says, "let us for the moment accept this assertion of racial equality as one 'toward which the most competent authorities incline.' Even so, I do not understand the writer to mean that the negro would or could produce the *same* civilization, the same culture, the same sort of great man, as the Anglo-Saxon of New England. For example, it seems on the face of it unlikely that the Alabama negroes, would, somehow or other, produce among them, a dark Jonathan Edwards or a Daniel Webster or John Adams. Mr. Coolidge, too, with his astringent humor, his laconicism, and his dryness, seems hardly African in quality. I take it, therefore, the writer means that what the black man would bring forth, the civilization he would erect, would be as good as that we possess, or possibly better, but in any case of another kind and quality." Understanding America by Langdon Mitchell (1927), pp. 55, 56. Professor East says, "Yet the open confession of faith of radical social reformers contains the following tenets, which are only mildly objected to by more conservative souls: all races and all individuals within each race are potentially equal, environment is all-powerful, and acquired characters are inherited as specifically and directly as any other characters. These tenets are genetical — biological. They do not happen to be true; but this is no deterrent. To those with the will to believe they are axiomatic and need no proof." Heredity and Human Affairs by Edward M. East (1927), p. 299.

Now all this is somewhat confusing. Philosophers, psychologists, and sociologists may weave their gossamer webs around this subject. But when they say the inherent mentality of negro children equals the inherent mentality of Anglo-Saxon children, the plain citizen thinks they should resume their researches. To the lay mind also it seems preposterous that Southern Italians are inherently equal intellectually to New Englanders. It certainly is a settled principle of biology that the mixture of a lower race with a superior race drags down the latter in the progeny. (See pp. 576–580 *supra* and notes thereto.) All of these questions are of vital importance to America where vast inroads of foreigners have produced an astonishing mix-up, never before equalled in the history of the world. And then there is the question of overpopulation, lowering the standard of manhood and producing inferior people from whom leaders can never come. (See pp. 571–573 *supra* and ch. 41.)

Fisher, an English author, says, "Belief in the sovereign qualities of race has indeed been the creed of all the aristocracies as of the humbler folk who for centuries of human history were content to serve them. With the development of democratic opinions in the eighteenth century it became fashionable to disparage the weight of those hereditary influences to which the ancients attached so much importance. The equality of man was proclaimed, the differences between race and race attenuated or ignored." Modern professors of eugenics, he says, "ask us to face the fact, which is now plain to all, that different races are differently endowed by nature, some being relatively high and others relatively low in the scale of civilization, and that within every race men and women differ from one another in natural inherited ability, and that no matter what education is supplied, these natural differences will persist. . . . There is evidence as to the inequality in the mental calibre of races and of classes within the same race, evidence as to the comparative scarceness in any race of talent or even of respectable ability, evidence as to the strong probability that distinguished men will have distinguished relations, evidence of the evil effects of a bad strain manifesting themselves generation after generation. The genealogies alike of able men and of the mentally defective are called into contribution with great effect." The Common Weal by Herbert Fisher (1924), pp. 143, 144, 146.

Of course all agree that the usual physical part of man is inherited by children from parents (Social Heredity and Social Evolution by Herbert W. Conn — 1914 — p. 35). But whether any *mental* characteristics are so inherited is a matter of dispute. Mental attributes are divided into instincts and intellectual attributes (*Id.*, p. 204). Another mode of division is that mental action has two phases, namely, intellect and the moral sense, and Professor Conn says the moral sense "is the result of organic inheritance" (*Id.*, p. 205), in part at least (*Id.*, pp. 119, 122, 123 and p. 74), especially the instincts or impulses of fear, sympathy, love, pride, and possibly the instinct to obey authority and similar motives (*Id.*, pp. 122, 284). As to acquired characteristics, namely, those developed by human beings "as the result of their own actions, or as the result of the action of their environment," Professor Conn says it is now quite firmly demonstrated that they are not transmitted by inheritance (*Id.*, p. 10). And again he says: "The evolutionary theories of Lamarck and the later Neo-Lamarckians were founded upon the idea that the environment thus produced modifications in organisms that then became part of their organic structure. These ideas have been pretty thoroughly discredited by the growing recognition of the non-inheritance of acquired characters. With the abandonment of these views the influence of the environment has been given less and less weight until it has been almost abandoned. To explain any phase of evolution by appealing to the action of the environment is now regarded as quite unsatisfactory" (*Id.*, p. 301). And again, "We are frequently told that the mind of man has not advanced at all since the time of the Greeks. Perhaps this is true; and it may be perhaps said with equal cogency that the mind of man has not advanced since the time of the Egyptians, when they built their vast monuments so long ago. We may even raise the question whether the mind of man has any greater powers than it had in the time of the old stone men of prehistoric ages; for it is a question whether it did not take just as much mental power to make the first crude implement out of stone, with nothing as a pattern and with not even the idea of the possibility of making anything like an artificial implement, as it does in these later ages to fashion the most delicate instrument when the inventor has all the patterns of previous ages to aid him. When we come to try to compare mental power of our twentieth-century inventors and those of earlier ages we have no adequate measure" (*Id.*, pp. 317, 318).

Turning again to the views of Fisher, he says there has long been a conflict "between two schools of scientific thought as to the relative influence of heredity and environment in the determination of human character. One school lays stress on inheritance, the other on physical and social surroundings, and the first of these two schools of thought has greatly advanced its position in popular esteem by Weissmann's disproof of the inheritance of acquired characteristics and by the active and valuable work which has been done during the past generation by so many scientific explorers in the field of eugenics." (The Common Weal by Herbert Fisher — 1924 — p. 141.) On page 149 Fisher says, "The theory of the non-transmission of acquired characteristics is, I understand, less generally accepted than it was ten years ago."

It is a far cry from the child of refined, intellectual parents to the child of an African Hottentot. The texture, power, convolutions, weight, compactness and capabilities of the brain at birth are different. It is probably true

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that the brains of Plato and Aristotle have not been surpassed since their age but less than 2500 years have elapsed and what of that? The Gods take a step and ages have rolled by.

> "Day treads upon the heel of day,
> And new moons haste to wane away."
> Horace's Odes, Book 2, Ode 18.

Nature takes tens of thousands of years to produce different races of men. And race is something more than environment and physical form. In fact all scientists apparently agree that, even if there be doubt as to whether acquired characteristics are inherited, yet brain capacity and its aptitude, power and tendency to develop are inherited by a child from its parents. Encyclopædia Britannica, Vol. 28 (11th ed.), pp. 1038, 1039; Vol. 27, p. 908; Vol. 13, pp. 351, 353. As Professor Conn says (Social Heredity and Social Evolution, p. 288): Man's "mental power is due, as is believed at all events by scientists, to the structure of his brain, and this is something that has been developed by organic evolution, and is a matter of inheritance." And again Conn says: "To his organic inheritance mankind owes his mental powers, his physical powers, his instincts toward a social life, and the instincts toward self-sacrifice, which make him willing to yield to authority and to demand government. It is his organic inheritance that has forced him into association with other men, that has led toward social evolution" (*Id.*, p. 300). Again, "We must admit that one's innate mental powers are largely or wholly matters of organic inheritance; and probably, though this is less certain, the same is true of the moral sense with which each is endowed" (*Id.*, p. 338). The theme of Professor Conn's book is that *social* environment is more important than heredity. Dean Inge says: "The inheritance of unusual ability is equally well established, though the laws which determine it seem to act irregularly. . . . Some kinds of talent are more strongly inherited than others." Lay Thoughts of a Dean by William R. Inge (1926): Essay on Eugenics, p. 246.

Leonard Darwin, son of the great Darwin, says, "The foregoing conclusions will doubtless not escape criticism, and to certain vulnerable points it will be necessary to return in a later chapter. Success in life was taken by Galton as a measure of talent, and especially those who have not read his works will be inclined to argue that the fact that 'talent' of this kind runs in families may be entirely due to family interest being able to secure good appointments for relatives, or to the advantages of social position. It may be suggested more generally that the likenesses between fathers and sons is mainly due to the similarity of the surroundings to which they have been exposed; and that until such environmental effects have been somehow eliminated, these statistical results cannot be accepted as indications of the influence of natural heredity. Then as to Mendelism, it was implied in the foregoing analogy that the factors — the bricks of our houses — are passed on from generation to generation quite unaltered. But if this be the case, how are we to account for evolution? Again assuming a common ancestral descent for man and certain lower organisms, and also that the genes never change, it would follow that both man and certain existing jelly-like organisms are all founded on the same Mendelian factors. Is this conceivable? Here all that need be said is that these criticisms have not been overlooked." He also says, "Even in the opinion of those experts who are favourable to a belief in the inheritance of acquired differences, it is not true that we could count on any such inherited effects being produced before the lapse of many centuries of continued effort. . . . Recently there has been a revival in the belief in the inheritance of acquired differences as the result of both theoretical considerations and experimental investigations; but how this controversy will finally be decided cannot now be foretold. The eugenist should, however, especially note that the advocates of Lamarckism generally agree that the racial results attainable by the inheritance of the effects of any increase which might now be made in the use of the mind or the body would be extraordinarily slow in making their appearance to an appreciable extent in the coming generations, and from this it follows that we must look elsewhere when framing practical proposals for eugenic reform. . . . Men of science now hold that changes in our surroundings to-day will affect the inborn qualities of succeeding generations either not at all — this being the belief of the majority — or only after the lapse of a very long period of time." The Need for Eugenic Reform by Leonard Darwin (1926), pp. 23, 107, 108, 110, 111. Professor Doncaster, an English writer, says: "As the result of the work of the biometric school founded by Galton and Pearson, it has been shown that the so-called mental and moral characteristics of man are inherited in the same manner and to the same extent as his physical features. Of the theoretical importance of this demonstration this is not the place to speak; its practical value is unquestionable, and may in the future have important effects on sociological problems." Recent Developments in European Thought, Unity Series, edited by F. S. Marvin (1920): Essay on Progress in Biology During the Last Sixty Years by Leonard Doncaster, p. 235.

Turning to race differences, race includes not only physical characteristics (inherited) but also manners, customs, education, etc. (acquired), and if, as indicated above, individuals (making up the race) inherit from their families any mental characteristics, this characterizes the race, whether the race be mixed in its origin (as most of them are) or be pure. In other words, he who asserts that environment explains most of the differences between negroes and white people, and that inherited qualities have little to do with those differences, has a hard case to prove.

All seem to agree that both physical and mental qualities, in the course of hundreds of thousands of years, were by evolution evolved from environment, but the prevailing opinion is that environment changes these very slightly and slowly in the course of centuries. Professor East says: "Inheritance of acquired characters may have been a factor in that long course of change which has required so many millions of years, but if so, the effects are too slow or too infrequent for us to measure them in the infinitesimal period of time allotted to us for experimental purposes. We must solve our sociological problems, therefore, in keeping with the verdict that acquired characters are not inherited." Heredity and Human Affairs by Edward M. East (1927), 122, pp. 123. Dorsey says, "I agree with Child that it is impossible to conceive of evolution and of so-called 'adaptations' without assuming that 'acquired characters' can be inherited. But often, as Child points out, tens of thousands of generations may have been necessary for such inheritance to become appreciable." Why We Behave Like Human Beings by George A. Dorsey (1925), p. 247. If sociologists and humanists and philanthropists would recognize this scientific fact, now accepted by scientists generally, that improvement of men by bettering their condition does not create better qualities to be inherited by the children, more attention would be paid to encouraging good stock and discouraging bad stock. The first step would be prevention of propagation of the worthless.

p. 569, n. 3: Between 1815 and 1822 Jean Baptiste Lamarck, a Frenchman, published his works claiming among other things that all acquired characteristics of individuals are transmitted to their offspring.

Johan Gregor Mendel, an Austrian monk and abbot, in 1866 filed with the Natural History Society of Brunn his observations with peas for eight years on the fundamental biologic laws of inheritance. He died in 1884 and it was not until 1900 that his discoveries became generally known and made him immortal. He studied the reproductive cells and discovered or led to the discovery that both the male and female parents have germ cells, sometimes called germ plasm. Those cells are also called "gametes." Each gamete has a nucleus containing small definite microscopic bodies, called "chromosomes." Each gamete, male or female, contains the same number of chromosomes. These chromosomes contain the hereditary characteristics. In reproduction one male gamete (containing "sperm") unites with one female gamete ("ovum"). The combination or fertilized egg cell (containing an equal number of male and female chromosomes) is called a "zygote." It sets aside some of the gametes (reduced in human beings to 24, one-half from the male and the other half from the female) to produce future generations and uses the others to produce the present child, male or female. The zygote contains chromosomes from both parents, but some of these chromosomes will dominate for that individual (determine his or her characteristics), and the chromosomes used to produce future generations may carry any or all characteristics, which have come down from past generations. In each chromosome there are "determiners," sometimes called "factors" or "genes," which decide what units or characteristics shall dominate. The character of one of the chromosomes in the male probably determines the sex of the individual produced. The Truth about Heredity by William S. Sadler (1927), pp. 214–217; also ch. 2; also pp. 75, 76. Encyclopædia Britannica, 11th ed., vol. 18, p. 116. Langdon-Davies describes the process as follows: "A distinct difference can be seen between the chromosomes in one daughter cell and those in the other; for, whereas all the other chromosomes have an identical pair which goes off into the other daughter cell, one which is called x has a differently shaped companion called y, so that x goes into one cell and y into the other. In short, half the mature sperm cells have an x chromosome and the other half have a y. If the sperm cell with an x fertilizes the egg cell, a male individual results; if one with a y, a female." A Short History of Women by John Langdon-Davies (1927), p. 58. Mendel discovered the principle of the process and modern biology recognizes him as a great master. Science has discovered that plants and animals are closely related organisms, alike in fundamental characters, and each grading into organisms possessing the characters of both plants and animals, leaving the boundaries artificial. The primary differences fade out. Animals and plants had a common origin, and hence Mendel's experiments with plants gave a basis for heredity in animals including man.

As to *mutations* or variations or "sports," Whetham says they are never acquired characters but are derived from ancestral differences and may be transmitted to future generations. They arise "from chance germinal associations of different qualities obtained from various individuals in a heterogeneous ancestry"; chance combinations "of different factors, producing an unexpected result. Drawn from different individuals in an ancestral tree, the factors form a particular conjunction, which perhaps has never before happened, and the result is a dwarf, a giant, or a transcendent genius." This may continue as a "definite breed, perhaps a transient strain." The Family and the Nation by William C. and Catherine D.

Whetham (1909), pp. 16, 31, 54, 55. See also Heredity and Environment by Edwin G. Conklin, 5th ed. (1922), pp. 72–76; also How We Inherit by Edgar Altenburg (1928), pp. 112, 113. Out of these inherited variations or mutations comes Evolution. This subject of "mutations" is of the greatest importance. It causes Evolution. Variations are of two kinds; first, those which are transitory, sometimes called fluctuations, arising at times from environment, and not inherited or inheritable; second, "mutations," which appear abruptly and are inheritable and which do not "revert" to the old types in subsequent generations. "Mutations" are probably due to a unique and new combination of antecedent chromosomes. The product is something new and, as stated above, is the cause and creator of Evolution. Professor Hankins says: "The question whether a change from one habitat to another will produce hereditary modifications in a race is clearly a question whether mutations are to be attributed to such change. In the present state of biological knowledge it is extremely doubtful whether environmental conditions can be said to cause or to be in any way related to appearance of mutations. These may occur whether environment changes or remains the same. Mutations are internal changes in the genes themselves and are clearly of such a nature that their relation to specific features of the environment must be remote and obscure." The Racial Basis of Civilization by Frank H. Hankins (1926), p. 355. He also says (p. 357), "Changes of a mutational sort must clearly be distinguished from differences in the extent of somatic development due to differences of food or life habits." Humphrey says, "In certain instances variations occur in some manner as yet little understood, which seem to be new traits and are hereditary." The Racial Prospect by Seth K. Humphrey (1920), p. 14. There is where the mystery lies.

In 1869 Sir Francis Galton, a cousin of Darwin, published Hereditary Genius, its Laws and Consequences. He advocated improving the breed of mankind by checking the birth-rate of the unfit and furthering the productivity of the fit. He was the first to use the word "eugenics." "Galton called attention to the eminence and permanence of the ability created by the intermarriages of the families of Montague, Sidney, and North, from the sixteenth to the eighteenth century. In the remarkable pedigree of these interrelated families as given by Galton, we find recorded four Chief Justices, one Lord Chancellor, seven other Judges, two Ambassadors, two well-known Statesmen, two Viceroys, one Lord High Admiral, one Bishop, one Abbot, and eight other men or women distinguished in some branch of learning; while no less than thirteen separate peerages were won by members of these families during the period under review. In later times the family of Grey has produced some eighteen men of great ability. Among them were three Cabinet Ministers, three Generals, two Admirals, and one other distinguished sailor who was created a K.C.B., and a Baronet, one Bishop, one Governor, and one Governor-General. As an illustration of the inheritance of scientific ability we may take the doubly related families of Darwin and Wedgwood, and the allied family of Galton — a specially appropriate example for the purpose in hand. Beginning in the middle of the eighteenth century with Erasmus Darwin, Josiah Wedgwood, and S. G. Galton, in five generations these interconnected families have produced no less than sixteen men of marked scientific attainments, of whom nine were Fellows of the Royal Society. In all such cases, the reproduction of ability seems chiefly to depend on a right choice of mates. It is well for a country when its able families of special types consort together socially, so that the rising generation naturally select their partners from an appropriate circle of like ability to their own." Heredity and Society by William C. D. Whetham and Catherine D. Whetham (1912), pp. 18, 19. Professor Conklin says that Galton "has been rightly recognized as the founder of the scientific study of heredity." Heredity and Environment by Edwin G. Conklin, 5th ed. (1922), p. 64.

Between 1889 and 1892 the works of August Weissmann, a German, were published in English. He was the author of the germ-plasm theory of heredity and denied the transmission of acquired characteristics. Later, however, according to the Encyclopædia Britannica, he admitted "the possibility of some direct modification of the germ-plasm within the body of the individual acting as its host."

Raymond Pearl in The American Mercury for November, 1927, claims that the biographies of the most eminent philosophers and poets in the Encyclopædia Britannica show that few had eminent parents or eminent children, and that the eugenic notion that superior people have superior children, and inferior people inferior children is unfounded.

p. 570, n. 1: Heredity and Environment in the Development of Men by Edwin G. Conklin, 5th ed. (1922), pp. 214, 215, 254.

p. 570, n. 2: Professor Ross says: "It appears, then, that, when the crowded peoples urge the advanced peoples to open wide their gates, they are asking for more than simple hospitality. Virtually they are requesting the advanced peoples to take the path to eventual extinction, to pass quietly into oblivion and let the descendants of strangers occupy their place. Really, it is asking much! America gave the open door policy ample trial, and with what result? New England was once peopled by 'Yankee' stock and therewith achieved the highest plane of civilization ever touched in the New

World. In 1920, however, but 38 per cent of the population were of the Yankee stock. The great modern conquest of New England began about 1879. . . . It was the Yankee capitalists who 'saw fit to unduly stimulate their good fortune by bringing foreign labor, or permitting foreign labor to be brought, into the country without providing suitable safeguard.' The immigrant was thought of as a cheap laborer, not as a progenitor. As always, yielding to the temptation to make money out of cheap immigrant labor wrought biological disaster. The fine Yankee stock withered as withered in the late Roman republic the sturdy yeoman of Latium before the endless importation of war captives reduced to slavery." Standing Room Only? by Edward A. Ross (1927), pp. 324, 325.

p. 570, n. 3: *Id.*, pp. 321, 322.

p. 571, n. 1: Statement of Dr. H. H. Laughlin before House Committee on Immigration, p. 1297. He also said (p. 1305): "In the long run, military conquest by a superior people would be highly preferable to a conquest by immigration by peoples with inferior family stock endowments." In a previous statement by Dr. Laughlin (November 21, 1922), before the same House Committee, he submitted tables of statistics showing the frequency, compared with their total numbers in the whole population, of members of different nativity groups in our prisons. He showed that, compared with the prison inmate rate for the whole population as a standard, that is 100%, the Italians had a prison inmate rate of 218.49%; the Greeks 293.62%; the Balkan States 277.67%; Great Britain only 37.97%; Canada 65.49%; Northwestern Europe as a whole 83.85%; while the old American stock was only 81.84%. These statistics given by Dr. Laughlin to the Committee in 1922 were attacked (as all statistics favoring restriction of immigration are attacked) by various organizations, etc. (See Immigration Crossroads by Constantine Panunzio — 1927 — pp. 115–117), but Henry Pratt Fairchild's work on Immigration, Revised edition (1925), p. 314 correctly refers to the Laughlin report as "an exceptionally thorough and scientific study." The statistics presented in 1924 substantiated those of 1922.

p. 571, n. 2: Wealth and Welfare by A. C. Pigou (1912), p. 29.

p. 571, n. 3: Ascent of Man by Alfred Machin (1925), p. 59.

p. 572, n. 1: The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. 3, § 331, p. 1486.

p. 572, n. 2: See Principles of Western Civilization by Benjamin Kidd (1902), p. 34, quoting from Origin of Species, Ch. III, by Darwin. Dorsey says, "Life is a spendthrift breeder. Elephants are the slowest, yet Darwin calculated that one pair in 750 years would have 19,000,000 descendants. Australia has often told the world what one pair of rabbits can do. Fish are worse. A cod can lay 6,000,000 eggs; a ling, 28,000,000. Even the ling would be crowded out of the sea if just one oyster were let alone by all and sundry until it had great-great-grandchildren. If all survived, Lull says, there would be just 66,000,000,000,000,000,000,000,000,000,000,000 oysters. Their shells would make a pile eight times the size of the earth! Oysters only produce 60,000,000 eggs a year. A starfish produces over 200,000,000." Why We Behave Like Human Beings by George A. Dorsey (1925), p. 98.

p. 572, n. 3: See The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), Vol. I, p. 284.

p. 572, n. 4: See History of Contemporary Civilization by Charles Seignobos (1908), p. 403.

p. 572, n. 5: Introduction by Julian Huxley, p. xi, to Towards the Open by Henry Chester Tracy (1927). Professor Holmes claims that "natural selection" formerly weeded out the weak by natural causes but that now unwholesome labor conditions in cities produce the same effect, while the lives of the more intelligent classes have been prolonged. Studies in Evolution and Eugenics by S. J. Holmes (1923), ch. VIII, pp. 153–162.

p. 573, n. 1: China and the Powers by Henry K. Norton (1927), pp. 189, 193.

p. 574, n. 1: See The Twilight of the White Races by Maurice Muret (1926), p. 85.

p. 574, n. 2: Our Testing Time by J. H. Curle (1926), p. 177. Curle gives a clear description of the branches of the white race. He says, "It is usual to divide the whites into three stocks. Firstly, there are the Nordics, the taller, fairer peoples of Northern and Western Europe. Secondly, the Mediterraneans, shortish and dark, occupying the South. Thirdly, the Alpines, also on the short side, sturdy, but not so dark, occupying the European East. Roughly speaking, Scandinavians, Baltic peoples, Dutch, Northern Germans, Flemings, English, Scotch and North Irish are predominantly Nordic, while South Germans, Swiss, and Northern French have a great deal of Nordic blood; Southern Irish, Welsh (when pure), Southern French, Spanish, Portuguese, Italians, and modern Greeks are Mediterraneans; and Slavs, Czechs, Hungarians and Poles are Alpines. . . . The French are a composite of all three stocks." *Id.*, pp. 85, 86. Barker writes: "Anthropologists are now generally agreed in distinguishing the same three European stocks — the Nordic, the Alpine, and the Mediterranean. . . . The Nordic race, which is chiefly to be found in Scandinavia, Holland, North Germany, and Great Britain, but also occurs in the west of Belgium, the north of France, and elsewhere, is a race of 'long-heads' (dolichocephalic), tall of stature and fair of complexion. The Alpine race, which has its home in the mountainous massif of Central Europe and the adjacent plains, and appears in Central France, Switzerland, Northern Italy, Southern Germany, and the region of the Carpathians, is a race of 'round-heads' (brachycephalic), of a shorter stature, a sturdy build, and a darker colouring. The Mediterranean race, indigenous to Southern Europe (and also to Northern Africa), but appearing on the western side of the British Isles as well as in Southern France, the Iberian peninsula, and the south of Italy, is like the Nordic a race of long-heads, but its members are much shorter in stature and far darker in their complexion. . . . The Mediterranean race was the first to make its entry [in England]. . . . It was already domiciled in Great Britain during the Neolithic stage of culture, five thousand years or more before the Christian era. Successive waves of invasion have washed it towards the west. . . . The Celtic-speaking invaders who first crossed into Britain are generally regarded as a Nordic strain which had been mixed, in the centre of Europe, with conquered elements of the Alpine race, on which it had imposed its language, and from which it may have borrowed some of the features of its civilization. But if the invaders were of mixed origin, the Nordic strain was dominant in the mixture, and the strain becomes clearer and purer in the later waves of Celtic invasion. The earlier Celts, who are often called by the name of Goidels, and sometimes (from a peculiarity in the form of the Celtic speech which they used) by that of the Q Celts, were succeeded, about the fourth century B.C., by a later body of invaders who are called the Brythonic or P Celts; and these were in turn succeeded, about the middle of the second century B.C., by the Belgae, who are said to belong to the Brythonic type, but were apparently of a purer Nordic stock than their predecessors. The earlier Goidelic or Q Celts were pushed far to the west, or up into the mountains, by later invasions, and they have left traces of their language in the Erse of Ireland, the Gaelic of the Highlands, and the Manx of the Isle of Man. The later Brythonic or P Celts were also pushed to the west in the days of the Teutonic conquest of England; but they kept a footing in England and Wales, and it is in the old Cornish speech (now dead), and in the language of Wales, that their traces survive." National Character and the factors in its formation by Ernest Barker (1927), pp. 27–29. Ratcliffe, a recent writer, says: "The aboriginal population of the British Isles was doubtless primitive Mediterranean, like that of most of the rest of middle-western and south-western Europe. This was a long-headed, and presumably dark-skinned and dark-eyed stock. Later on, but still long before the Christian era, there was a strong infiltration of round-headed people, representing what is now generally known as the Alpine race, also generally brunet in type. The infusion of blond, or so-called 'Nordic,' blood, did not come until relatively recent centuries, though its origin doubtless runs back into pre-Christian times." Immigrant Backgrounds, edited by Henry Pratt Fairchild (1927): Article on The British by S. K. Ratcliffe, p. 26. See also p. 384, note 1 for p. 160. Professor Hankins says: "France thinks of itself now as a Celtic nation and now as a Gallic one. There is by no means agreement among its own scholars as to who were Celts or who were Gauls, nor as to whether Celts and Gauls are fundamentally of the same racial stock. That the term Celt is a much-abused term is universally admitted, for it is now used to designate language and culture and now race. When applied to language it includes (1) Gaulish, (2) Goidelic tongues, or Irish, Manx and Scottish Gaelic, and (3) Brythonic tongues, or Welsh, Cornish and Breton (Ency. Brit., 11th edition, vol. 5, p. 612). When applied to race it designates the peoples who speak these varied tongues." The Racial Basis of Civilization by Frank H. Hankins (1926), p. 141. He further speaks (p. 154) of the "minority view which would class the so-called Celts as 'Nordics,'" and says that "aside from the Bretons no remnants of Celtic tongues remain."

p. 575, n. 1: See The Twilight of the White Races by Maurice Muret (1926), p. 18. Dean Inge says: "For a thousand years before the beginning of the modern period Europe had been on the defensive against Asia. Three times civilization had been in imminent danger of being submerged by a torrent of Asiatic invaders. The first irruption of Mongols, in the fifth century, reached France, and nearly overthrew Roman civilization at Chalons. The Arabs, within a few decades after their emergence from the desert, struck down the East Roman Empire, exterminated the Nordic Vandals in Africa, conquered Spain, invaded France, and even after they had begun to decline, drove the chivalry of Europe out of Palestine. The third period of nomadic aggression set the Tartar on the thrones of India and China, which he retained till within living memory, kept Russia in thraldom for two hundred years, obliterated the East Roman Empire, and as late as the seventeenth century threatened Vienna. The destruction of civilization in all its most ancient seats has been the work of the Mongol. It is not true to say that he overthrew only decadent and feeble empires." Outspoken Essays (Second Series) by William R. Inge (1923): Essay on The White Man and His Rivals, p. 211.

p. 575, n. 2: See A Short History of Civilization by Lynn Thorndike (1926), p. 221.

p. 575, n. 3: Dean Inge, after quoting from various authors, says: "These testimonies, which might easily be multiplied, and which are not contradicted, are sufficient to prove that under a régime of peace, free trade, and unrestricted migration the coloured races would outwork, underlive, and eventually exterminate the whites. The importance of this fact cannot be exaggerated. The result of the European, American and Australian labour movement has been to produce a type of working-man who but for protection in its extremest form, the prohibition of immigration, would soon be swept out of existence. And this protection rests entirely on armed force; in the last resort, on war. It is useless to turn away from the facts, however unwelcome they may be to our socialists and pacifists. The abolition of war, and the establishment of a League to secure justice and equality of treatment for all nations, would seal the doom of the white labourer, such as he has made himself." Outspoken Essays (Second Series) by William R. Inge (1923): Essay on The White Man and His Rivals, pp. 221, 222. Dean Inge also says "The Indian and Chinese peasant, with his frugal wants, based on immemorial tradition, may have a greater survival value than the American artisan with his £1000 a year, his Ford car, his bejewelled wife, and his daily visit to the 'movies.'" Lay Thoughts of a Dean by William R. Inge (1926): Essay on "Consumptionism," p. 196.

p. 575, n. 4: See The Twilight of the White Races by Maurice Muret (1926), p. 275.

p. 575, n. 5: See The Peril of the White by Sir Leo Money (1925) and the Passing of the Great Race by Madison Grant, 4th Revised Edition (1924). Taylor, a noted Australian anthropologist, believes that the Alpine race is overwhelming the Nordic and the Mediterranean races and that the Alpine is a later type of man. He also says: "I have come to the conclusion that the so-called Nordic races do not stand out as the most advanced type of man. This will not please a powerful section in American circles. . . . My deductions give Australia a rather low economic status among the nations of the world, while the United States take first place. I do not think that race is so important as environment in the coming economic struggles for supremacy, and this thesis contradicts the views of many eminent sociologists. Finally, it seems to me that the whole teaching of ethnology shows that peoples of mixed race are the rule and not the exception; that they have founded and developed powerful states in the past; and that what was true in the past will hold good in the future. Let us briefly consider the Nordic question. If sociologists propose to contrast the Nordic with the Alpine and Mediterranean peoples, as is usual in certain American publications, they must not confuse nation with race. In France and Italy the three racial stocks are perhaps nearly equally divided; in every country of Western Europe they are almost inextricably mixed. In the British Isles the people are possibly more largely Mediterranean than Nordic, but there is quite a strong mixture of Alpine blood." Environment and Race by Griffith Taylor (1927), pp. 224, 336.

p. 575, n. 6: Dean Inge says: "The population of Europe, which in 1801, after the rapid growth had begun, was only 150 millions, was about 450 millions in 1914, besides 110 million white men in America and the British colonies. . . . More recently, Canada and the Argentine Republic have entered on the path of rapid growth." Outspoken Essays (Second Series) by William R. Inge (1923): Essay on The White Man and His Rivals, p. 213. As George Meredith says, the English breed mightily.

p. 576, n. 1: Speeches and Addresses, 1884–1909: The Restriction of Immigration, Speech in the Senate, March 16, 1896, by Henry Cabot Lodge, p. 264. Professor Dowd says, "Some of the instances of such dominance of low over high culture are as follows: The conquest of the Chinese by the Mongols; of the Sumerians by the Semites in Mesopotamia; of the Egyptians by the Hyksos, by the Libyans, and by the Nubians; of the Roman Empire by the Nordic barbarians, and the dominance of the Negro over the Caucasian in the island of Haiti." The Negro in American Life by Jerome Dowd (1926), p. 434. Dorsey takes a different view. He says, "The 'racial purity' and the 'racial inferiority' behind such books as McDougall's *Is America Safe for Democracy?* Chamberlain's *Foundations of Nineteenth Century Civilization;* Grant's *The Passing of the Great Race;* Wiggam's *The New Decalogue of Science;* Gould's *America a Family Matter;* and East's *Mankind at the Crossroads*, are bunk pure and simple. If these United States wish to restrict immigration to 'Nordics' or to this or that political group, why not say so and be done with it? To bolster up racial prejudice or a Nordic or a Puritan complex by false and misleading inferences drawn from 'intelligence tests' or from pseudo-biology and ethnology, is to throw away science and fall back on the mentality of primitive savagery." Why We Behave Like Human Beings by George A. Dorsey (1925), p. 119. This certainly is a rather summary way of disposing of facts and figures.

p. 576, n. 2: The Social Good by Edward J. Urwick (1927), p. 45.

p. 577, n. 1: The Melting-Pot Mistake by Henry Pratt Fairchild (1926), p. 121.

p. 577, n. 2: The Racial Basis of Civilization by Frank H. Hankins (1926), p. 374.

p. 577, n. 3: The Civil War in America by John William Draper, Vol. 3, ch. 96, p. 661. Thomas Bailey Aldrich wrote those powerful lines —

"Wide and unguarded stand our gates,
And through them presses a wild motley throng —

(for p. 577)

Men from the Volga and the Tatar steepes,
Featureless figures of the Hoang-Ho,
Malayan, Scythian, Teuton, Kelt and Slav,
Flying the Old World's poverty and scorn;
These bringing with them unknown gods and rites,
Those, tiger passions, here to stretch their claws.

. . . .

O Liberty, white Goddess! is it well
To leave the gates unguarded?

. . . .

For so of old
The thronging Goth and Vandal trampled Rome,
And where the temples of the Caesars stood
The lean wolf unmolested made her lair."

Quoted in Modern Life and Thought, edited by Frederick Houk Law (1928): Essay on The American of the Future by Brander Matthews, p. 207. Professor Rostovtzeff in his Social and Economic History of the Roman Empire (1926) reviews the different views as to the cause of the decline of Rome. His own idea (and few will disagree with him) is (pp. 478, etc.) that the Roman race was displaced by the influx of outside half barbarous unassimilated races, thereby destroying the political, social, and economic Roman civilization, as well as its intellectual and spiritual civilization, although he questions the innate inferiority of these outside races (pp. 485, 486). He rejects the idea that barbaric invasions account for everything and he rejects Ferrero's idea that the character of the emperors caused the collapse. Nor does he accept the idea that failure to establish representative government was the cause. And he rejects also the theory that economic decay was the cause and in fact points out that at various times there were low as well as high economic epochs. Nor does the exhaustion of the soil, or failure of the upper classes to have children, or extermination of the Roman blood by foreign and civil wars, or the admixture of the blood of inferior races (he questions whether they were inferior), or the lack of assimilative powers *fully* explain in his opinion the decay and fall of Rome. He points out (Preface, pp. viii, etc.) that the Caesars represented the victory of the middle and lower classes of Rome over the aristocracy, the latter being the large land owners and newly rich; and later the lower classes in the cities and country by control of the army put down the middle classes by taxation, confiscation, and terrorization, because the middle classes would not coalesce with the lower classes. Then came a military despotism and the end. Rostovtzeff ends by asking (p. 487) whether it is possible "to extend a higher civilization to the lower classes without debasing its standard and diluting its quality to the vanishing point" and whether every civilization is "bound to decay as soon as it begins to penetrate the masses." He apparently has not much faith. Certainly the history of Rome is not reassuring on this point. But the Roman race was a very small race and did not suffice for its vast conquests. Moreover, the Roman was agricultural, rude, warlike, ready to enlist for foreign or domestic wars, not creative except of laws and political institutions, not assimilative of other races; in other words, a military conquering race without expansive civilization, and it went down, not having the recuperating power of the northern races. These northern races had an undeveloped capacity to become the civilized nations of today, but certainly were "inferior" at that time.

Another view of the cause of the fall of Rome is the following from Vol. 3 (Latin), p. 23, of The Classics, Greek and Latin by Marion M. Miller — university edition: "Owing partly to the long-continued civil wars, and the consequent prevalence of insecurity and lawlessness, partly to the introduction of foreign luxury, and the increase of political corruption, the morality of Rome had already advanced on the road to utter and irretrievable ruin." This was in the time of Horace, the time of the first Caesars, just before the Christian era. And the character of the people rapidly grew worse. In fact the old race, decimated by war and poverty, was being replaced by polyglot newcomers and slaves.

Still another view is that of Professor Lynn Thorndike in his Short History of Civilization (1926) where he says (p. 202), "It was hard to collect the taxes, so the wealthy governing class in the municipalities were made responsible for them and were thereby ruined financially along with the municipalities. It was hard to find slave labor, so a law was made forbidding tenants, or *coloni*, who had formerly been free, to leave their agricultural holdings, with the outcome that they became practically serfs, while the power of the great landowner again increased. Evidently there was depopulation among the original stocks of the empire, perhaps also exhaustion of natural resources. Was this the result of climatic change, of exhausted soil, of mosquitoes and malaria, of racial degeneration, or of sexual immorality and luxury?"

Professor Hearnshaw, an English historian, attributes the fall of Rome to, (1) the impossibility of welding into unity the various races and civilizations; (2) not adopting monarchy so as to fix the succession; (3) bad economic foundations, *i.e.*, slaves, contempt of productive industry, heavy taxes, lazy city populations, decaying agriculture; (4) moral depravity, due to prosperity and power, disappearance of the old austere virtues, a debilitated bureaucracy unable to guide the changes; (5) ignorance of medicine, hygiene and science to control pestilence; (6) loss of faith in the gods on whom the old Romans relied always for aid. Medieval Contributions to Modern Civilisation (1921): Lecture I, Introductory, The Middle Ages and Their Characteristic Features by F. J. C. Hearnshaw, pp. 22, 23.

Whetham says, "As long as Rome remained under the control of a definite homogeneous race, the family was treated as the social unit, and patriotism and self-sacrifice, based on devotion to the family and the home, burned with a steady flame — a model to all time. But Rome became a cosmopolitan capital, drawing in from all nations men who demanded the privileges of citizenship without being able to bear its burdens or willing to submit to its limitations. Eventually the purity of the race was lost, and with it vanished the definite character of the people and the social structure of the nation. Both in Athens and in Rome, during the period of splendour which ushered in their decay, the dearth of children in the patrician and upper classes, and others who successively came to the front to fill the empty places, was regarded with alarm by the responsible statesmen of the day, and the tendency for the best women to remain if not unmarried at least childless, or to find occupation and interest in the political and literary spheres of life, was recognized to be a source of national danger." Heredity and Society by William C. D. Whetham and Catherine D. Whetham (1912), p. 80.

Madison Grant says: "The decline of the Romans and for that matter of the native Italians began with the Punic Wars when in addition to the Romans who fell in battle a large portion of the country population of Italy was destroyed by Hannibal. Native Romans suffered greatly in the Social and Servile Wars as well as in the civil conflicts between the factions of Sylla, who led the Patricians, and Marius who represented the Plebes. Bloody proscriptions of the rival parties followed alternately the victory of one side and then of the other and under the tyranny of the Emperors of the first century also the old Roman stock was the greatest sufferer until it practically vanished from the scene. . . . An examination of many thousands of Roman columbaria or funeral urns and the names inscribed thereon show quite clearly that as early as the first century of our era eighty to ninety per cent of the urban population of the Roman Empire was of servile extraction and that about seven-eighths of this slave population was drawn from districts within the boundaries of the Empire and very largely from the countries bordering on the eastern Mediterranean. Few names are found which indicate that their bearers came from Gaul or the countries beyond the Alps. These Nordic barbarians were of more use in the legions than as household servants." The Passing of the Great Race by Madison Grant, 4th Revised Edition (1924), pp. 217 and 220.

Nilsson, a Swedish historian, says that the United States "with their motley and mixed population of different races" have the same problem that Rome had. He says, "The problem is, then, the relatively greater growth of the less valuable element. The inevitable result of that is the suffocation or absorption of the cultured population. Even if this picture of the future is painted in too dark a shade, still the anxiety is great; there is a risk of the stable character of the country being lost. The problem was the same in the Roman Empire. It possessed a motley population of different races and degrees of civilization, which, owing to political exigencies and the growth of communications, had been intermingled. Culture and the State system rested on the old dominant civilised population, especially the Roman part; for the Greek had already become so diluted and tainted that it did not play a great role in this respect, and the Greeks who counted were for the most part Grecised natives of Asia Minor and the East. The problem was whether this population could assimilate to itself the less civilised population and the Orientals. The situation became more desperate as the one diminished and the other grew. The Roman statesmen realised this and therefore devoted their efforts to stimulating the growth of population in Italy. Apart from the race question, the fate of the Empire and civilisation depended on whether the rate at which the provincials imbibed Roman culture kept pace with the rate with which they obtained Roman citizenship, and the answer to that question has already been given. In other words, it depended on the degree in which the new citizens were of a definitely lower culture and on the quality of the alien cultures they brought with them. The problem of race was decisive inasmuch as upon it depended the culture and composition of the Empire. As long as the alien races were depressed and in the position of subjects, the Empire held together, but when they were raised to equal rights with the ruling people they asserted themselves, and burst the frame in which they had been enclosed." Imperial Rome, translated from the Swedish of Martin P. Nilsson by The Rev. G. C. Richards (1926), pp. 338–340. He also says (pp. 366, 367): "But even if mixture of peoples in its immediate results produces chaos, it is not the final result. Out of chaos a new race may arise with valuable hereditary characteristics, which render it capable of building up anew what has been destroyed. We know the conditions necessary for this. They are, that cross-breeding should cease and the nation be isolated, so that the mixture gets time to settle, and a new race has a chance to be definitely characterised by the given conditions. . . . The peoples and races of modern Europe grew up in the Middle Ages, and found political expression in the modern national states, whose frontiers, even to-day, place an effective obstacle in the way of an unchecked mixture of people of that harmful kind which actually was the cause of the fall of the Roman Empire. As is so often the case in history, Nemesis ordained that the consequences of victory should be destructive to the victors, who were first engulfed and finally disappeared in the mass of the vanquished."

In this connection the views of Lord Acton, the great English historian, as to the cause of the collapse of Athens are highly interesting. He says, "The causes which ruined the Republic of Athens illustrate the connection of ethics with politics rather than the vices inherent to democracy. A State which has only 30,000 full citizens in a population of 500,000, and is governed, practically, by about 3000 people at a public meeting, is scarcely democratic. The short triumph of Athenian liberty, and its quick decline, belong to an age which possessed no fixed standard of right and wrong. An unparalleled activity of intellect was shaking the credit of the gods, and the gods were the givers of the law. It was a very short step from the suspicion of Protagoras, that there were no gods, to the assertion of Critias that there is no sanction for laws. If nothing was certain in theology, there was no certainty in ethics and no moral obligation. The will of man, not the will of God, was the rule of life, and every man and body of men had the right to do what they had the means of doing. Tyranny was no wrong, and it was hypocrisy to deny oneself the enjoyment it affords. The doctrine of the Sophists gave no limits to power and no security to freedom; it inspired that cry of the Athenians, that they must not be hindered from doing what they pleased, and the speeches of men like Athenagoras and Euphemus, that the democracy may punish men who have done no wrong, and that nothing that is profitable is amiss. And Socrates perished by the reaction which they provoked." Essay on May's Democracy in Europe (1878), republished in History of Freedom and Other Essays by John E. Acton (1907), p. 70.

p. 577, n. 4: The Direction of Human Evolution by Edwin G. Conklin (1925), pp. 46, 50. Dr. Laughlin in his statement before a House Committee March 8, 1924, said (p. 1305), "If the immigration is of a closely related racial type, and possesses inborn talents higher than those of the native stocks, then the national type is preserved and the character improved. But if, on the other hand, the racial type is not assimilable, and the inborn traits of character are less ideal than those of the foundation stocks, then immigration works toward ultimate disaster."

p. 577, n. 5: Heredity and Environment in the Development of Men by Edwin G. Conklin, 5th Ed. (1922), p. 302. Professor Conklin also says, "the practice of all nations demonstrates that weaker and inferior peoples are not permitted to stand in the way of dominant ones. When such peoples occupy territory which is desired by more powerful neighbors, they are either exterminated, expelled, exploited or amalgamated with the conquering race. . . . This is an illustration of the great law of evolution, the survival of the strong and capable and intelligent, and even though ideal justice be meted out to weaker peoples, dominant races will still dominate and possess the earth. The only recourse which the inferior peoples have, and it is a terrible revenge, is to amalgamate with the superior race and thus lower its hereditary qualities." *Id.*, p. 291.

p. 579, n. 1: Decadence by Arthur James Balfour (1908), p. 46.

p. 579, n. 2: The Direction of Human Evolution by Edwin G. Conklin (1925), p. 104.

p. 580, n. 1: For a gruesome picture of nature's unpitying methods in keeping down population by war, famine, disease, etc., See Expansion of Races by Charles Edward Woodruff (1909), Chs. 4, 5, 9, 10, and 11.

p. 580, n. 2: See Principles of Political Economy by John Stuart Mill, 5th London edition (1889), Vol. I. Mill reviews the various methods in different countries for checking increase of population (pp. 210, 211, 432–436), sometimes restricting marriage by custom, sometimes by statute, sometimes by military duty. Mill says (p. 436) "In some parts of Italy, it is the practice, according to Sismondi, among the poor, as it is well known to be in the higher ranks, that all but one of the sons remain unmarried. But such family arrangements are not likely to exist among day-labourers. They are the resource of small proprietors and metayers, for preventing too minute a subdivision of the land." See also Descriptive and Historical Sociology (1923) by Professor Franklin H. Giddings of Columbia University (p. 448) on Polyandry in Italy, quoting from Taine's Italy, Florence, and Venice. In Folkways by William G. Sumner (1907) it is said (p. 313), "Sometimes infanticide is practiced only on girls, of whom a smaller number suffices to keep up the tribe. Sometimes it is confined to the imperfect infants, in obedience to a great tribal interest to have able-bodied men, and to spend no strength or capital in rearing others. Sometimes infanticide is executed by exposure, which gives the infant a chance for its life if any one will rescue it." As to female infanticide in China and India, see *Id.*, p. 318 and pp. 351, 363; also The Family as a Social and Educational Institution by Willystine Goodsell (1926), p. 22. Machin says, "Infanticide has always been the simplest method of birth control, and the one most generally adopted. In the development of civilized man from savage man it is impossible to ignore this fact. . . .; with Christian nations this method is impossible and unthinkable, while with the animal tribes it is of course unknown. But between primitive man and Christian man it has been a remedy always available, and one to which recourse has generally been had . . .; infanticide has always been of old times the most efficient and generally adopted method of 'birth control.'" Ascent of Man by Alfred Machin (1925), pp. 54, 55. "We do not know at what rate the Chinese population is increasing. Female infanticide is still practiced." The Peril of the White by Sir Leo Chiozza Money (1925), p. 79.

p. 580, n. 3: "The question posed by Malthus refuses to be ignored. Again and again the nations are forced to give ear to it. The celebrated essay in 1798 marked the boundary between two eras of thought on this question. Before that a large and increasing population was generally favored; since that date it has never ceased to be looked upon by some with doubt and with fear. . . . Before Malthus the criterion was the prosperity of the sovereign and of the ruling classes; thereafter it became the welfare of the increasing masses. Unwittingly, but none the less truly, Malthus set before the eyes of men a new picture of the humble unit of population. Instead of the man with the hoe, patient taxpayer and soldier of the king, frugal workman contributing with his teeming fellows to swell the rents of landlords and the profits of employers, Malthus helped the world to see the human individual, striving to maintain a family and to win the joys of life, but finding the very number of his fellows an obstacle in the way toward these ends. Before Malthus population was a question either of political or of commercial economy; with him it began to be a question of social economy." Readings in Social Problems edited by Albert B. Wolfe (1916): Article by Frank A. Fetter on The Ethics of Population Policies; Neo-Malthusianism, pp. 219, 220. And again it is said in this book, "Population policies, inrooted in the traditions and *mores* of all peoples, based upon the early, primitive needs of the tribal group, for numerical strength, for warriors, for males to carry on the religious rites, are seemingly as old as custom itself. The biblical admonition to be fruitful and replenish the earth is an ethical injunction, a population policy, the counterpart of which is to be found in nearly every religion, primitive or historical. The constant decimation occasioned by wars and proscriptions, the greed of conquest, the desire for cheap labor, — all join with religious tradition to develop and perpetuate a policy based upon the idea that the wealth and welfare of a group or a nation depend primarily upon its large size and the rapidity of its growth in numbers. Through primitive times, through the checkered history of Greece and Rome, through the Protestant Reformation, and through the economic and political doctrines of the Mercantilists and Cameralists, this idea has been handed down to the end of the eighteenth century, and is even the prevalent idea to-day. Some few writers before Malthus had pointed out the danger of population increase in view of the limited possibilities of food supply, but they made little or no impression because social and economic conditions were not ripe for the force of their views to be felt. Moreover, Malthus was the first to go at the question in a thorough and scientific manner." *Id.*, remarks by Albert B. Wolfe in 1916, p. 18, introductory to Malthus' essay on Principle of Population.

p. 581, n. 1: Social Rights and Duties by Leslie Stephen (1896), Vol. 1, p. 213.

p. 581, n. 2: Standing Room Only by Edward A. Ross (1927), ch. 13.

p. 581, n. 3: See *Id.*, ch. 9, where Professor Ross treats this subject fully.

p. 581, n. 4: *Id.*, pp. 16, 159, 160.

p. 581, n. 5: Already in some of the States the medical profession is authorized to prevent procreation by undesirable classes. The Supreme Court has sustained a Virginia statute providing for sexual sterilization (vasectomy or salpingectomy) of inmates of institutions supported by the State who are inflicted with an hereditary form of insanity or imbecility. Buck *v.* Bell, 274 U. S. 200 (1927). In the State of Washington the supreme court has sustained a statute that an habitual criminal or person guilty of rape may, in addition to such other punishment or confinement as may be imposed, be sentenced to an operation to prevent procreation. The court in that case stated that, "On the theory that modern scientific investigation shows that idiocy, insanity, imbecility, and criminality are congenital and hereditary, the legislatures of California, Connecticut, Indiana, Iowa, New Jersey and perhaps other states . . . have enacted laws providing for the sterilization of idiots, insane, imbeciles, and habitual criminals." State *v.* Feilen, 70 Wash. 65 (1912). In Wisconsin the supreme court has sustained a statute that before marrying a person must obtain a doctor's certificate of freedom from venereal disease. Peterson *v.* Widule, 157 Wis. 641 (1914). Huntington and Whitney say: "California sterilized over 5000 persons up to 1927 and Kansas a considerable number, but the other states are far behind. Public opinion has not advanced sufficiently to be ready for so seemingly drastic a remedy. Only persons of clear vision can see how merciful the remedy really is. Our ignorance permits bad seed to be sown abundantly." The Builders of America by Ellsworth Huntington and Leon F. Whitney (1927), p. 84. Field says, "The operation of vasectomy, which

(for p. 581)

Dr. Rentoul first proposed as a eugenic measure some years ago, and to which the name of 'Rentoul's operation' is not infrequently applied, has already assumed importance as a practical measure." Readings in Social Problems, edited by Albert B. Wolfe (1916): Article by James A. Field on Eugenics, pp. 161, 162. On January 1, 1926, some 18 states had eugenical sterilization statutes in force. In 1927 Indiana enacted such a statute. A complete detailed statement of all such statutes up to 1926, including those repealed or declared unconstitutional, is given in a pamphlet prepared by Harry H. Laughlin of the Eugenics Record Office, Cold Spring Harbor, Long Island, N. Y. Mr. Laughlin favors sterilization to improve the hereditary qualities of future generations, but not as a punishment for rape, etc. He gives details showing that 6244 operations had been performed up to July 1, 1925, and of these 4636 were in California; 335 in Kansas; 313 in Oregon; 262 in Nebraska; less numbers in other states and in some none at all. A complete and accurate statement of the statutes and decisions on this subject is found in the printed Proc. of the Am. Bar Assoc. for 1928, pp. 556–574 on "The Law and Human Sterilization" by Otis H. Castle of Los Angeles, Cal.

Public sentiment has gotten that far. Until authorized the medical profession will of course not proceed. As Freeman, an English writer, says: "It may be said that medical knowledge has been the means of preserving many lives which had better not have been preserved. But the value of a particular life is not the concern of the medical practitioner. His function is to preserve life and diminish suffering. In its advisory capacity the medical profession has indicated means by which the reproduction of unsuitable individuals may be prevented. The application of that advice lies with the community. Medical practice must proceed upon the assumption that a life which actually exists is worth preserving." Social Decay and Regeneration by R. Austin Freeman (1921), p. 19. Guyer says, "We foster and favor our social wastage with the inevitable result that it runs riot under our sheltering hand and deluges us with an ever accumulating flood of its like. For are we not constantly building more asylums, sanitaria and prisons, to preserve more unfit, to produce more defectives, to require still greater numbers of asylums, sanitaria and prisons, to preserve more unfit, and so on in unending progression? . . . With our improved methods of sanitation and care of the sick, the pauper and the defective, these classes have been freed from the stress of an environment that under natural conditions would have resulted in their premature death and consequent infertility. . . . Thus we are confronted by the stubborn fact that through present humanitarian methods we are driving the race toward decadence." Being Well-Born by Michael F. Guyer (Childhood and Youth Series, Edited by M. V. O'Shea, 1916), pp. 289, 292, 293.

p. 581, n. 6: Sadler says: "It is no longer true, as in former ages, that we have the survival of the fittest. Rather does modern society carefully protect and shelter the unfit in its asylums and other public institutions, while a vast army of physicians is devoting itself to the art of prolonging these unfit and useless lives — and we do not wish it otherwise as regards these exhibitions of kindness and charitableness; but the fact remains, in a discussion of natural selection, that many of these well-meant activities of civilization and Christianity must be recognized as acting as barriers to the successful operation of this natural law for the preservation, upbuilding, and strengthening of the race. Thus, it will be seen, modern man has quite effectually annulled the time-honored biologic law of natural selection, but he has utterly failed to put in its place any effective method or mode of artificial selection, and so human society now stands jeopardized by the threatening results which promise to accrue from man's ability to thwart the operation of natural law, on the one hand, and his indifference to the necessity for providing a protective substitution of some sort, on the other." The Truth about Heredity by William S. Sadler (1927), pp. 188, 189. "Doubtless material improvement in the physical conditions of mankind benefits the present generation by easing the circumstances of life, and lessening the struggle for existence among those least able to bear it; doubtless it even raises somewhat the next generation by improving the conditions of its nurture in infancy. But the process has definite limits, quickly reached." Heredity and Society by William C. D. Whetham and Catherine D. Whetham (1912), Introduction, p. 6.

p. 582, n. 1: Huntington and Whitney (American) give the opinion that the college-bred business man in the small cities and town, "and the professional man who takes a college course as well as a professional course, have children enough to preserve their families from extinction. The other kinds of leaders are dying out." The Builders of America by Ellsworth Huntington and Leon F. Whitney (1927), p. 173. Darwin (English) says, however, "Our professional classes in fact almost certainly form a group which is dying out." The Need for Eugenic Reform by Leonard Darwin (1926), p. 323. Carver and Lester say: "In so far as it is true that those who are able to fit themselves into our civilization and to make such contributions to it as to win distinction for themselves are failing to multiply or to leave patterns of themselves, so far does that tend to deplete the supply of men of high capacity. Again, in so far as those who fail to do more than work under direction and who make a rather poor living at that multiply at an inordinate rate, just so far does this tend to increase the numbers of that kind of people. If these two tendencies are found working in combination in our civilization, it is a foregone conclusion that our civilization will run its course and decline, as others have done. When the time comes, if it ever does, when our population is made up of those who lack initiative and creative power and who must, therefore, work under the direction of others, and when there are too few others with initiative and creative power to direct the inert mass, then our civilization will be at an end." This Economic World by Thomas Nixon Carver and Hugh W. Lester (1928), pp. 308, 309.

p. 583, n. 1: International Relations by Raymond L. Buell (1925), p. 170.

p. 583, n. 2: See Race and National Solidarity by Charles Conant Josey (1923), p. 211.

p. 583, n. 3: Essay on Population by Thomas R. Malthus (1798), ch. ii. John Stuart Mill wrote, "it is but rarely that improvements in the condition of the labouring classes do anything more than give a temporary margin, speedily filled up by an increase of their numbers. The use they commonly choose to make of any advantageous change in their circumstances is to take it out in the form which, by augmenting the population, deprives the succeeding generation of the benefit — the most promising schemes end only in having a more numerous, but not a happier people." Political Economy (1848), bk. I. ch. x. Darwin says, "it is impossible not to regret bitterly, but whether wisely is another question, the rate at which man tends to increase; for this leads in barbarous tribes to infanticide and many other evils, and in civilized nations to abject poverty, celibacy, and to the late marriages of the prudent." Descent of Man by Charles R. Darwin (1859), ch. v. Darwin says, however, that "our natural rate of increase, though leading to many and obvious evils, must not be greatly diminished by any means," for the reason that otherwise man "would sink into indolence," and that if he is to advance "he must remain subject to a severe struggle," for "man, like every other animal, has no doubt advanced to his present high condition through a struggle for existence based on his rapid multiplication." *Id.*, ch. xxi. This last is a hard doctrine and of doubtful necessity. Hobson in his half-socialistic scheme of a commission to take great profits for common good says that "most thoughtful persons will agree that a limited population, with a secure and sufficient economic basis, continually evolving new and higher needs which they are able to satisfy, is worth a good deal more than an unlimited population living shorter, harder, duller and more precarious lives. Civilisation not merely depends upon, but consists in, the substitution of quality for quantity of life. The demand for a higher standard of living everywhere forces to the front of conscious policy this problem of population," and that his plan "will tend to bring the unskilled workers, hitherto the more prolific, nearer to the level of maintenance, education and responsibility attained by skilled workers who have already taken on birth-control as a family policy. That the policy has been moving downwards fairly rapidly from the middle to the skilled working classes is statistically proved, and the recent advances of lower grades of labour in wages and organisation make it pretty certain that their birth-rate will also be affected." The Conditions of Industrial Peace by J. A. Hobson (1927), pp. 92, 93.

p. 583, n. 4: Quoted in Ascent of Man by Alfred Machin (1925), p. 233.

p. 584, n. 1: The Old Woman Who Lived In a Shoe by Edward A. Ross in The Century for September, 1927, p. 568.

p. 585, n. 1: *Id.*, p. 566. See also an article by Professor Ross in Scribner's for September, 1927, on Population Pressure and War, pp. 357–361; reproduced in Standing Room Only by Edwin A. Ross (1927), pp. 174, 175. Professor Ross says: "In June, 1919, the Malthusian League at its annual general meeting in London resolved: 'The Malthusian League desires to point out that the proposed schemes for the League of Nations has neglected to take account of the important questions of the *pressure of population*, which *causes the great international economic competition and rivalry*, and of the *increase of population*, which is put forward as a justification for *claiming increase of territory*. It, therefore, wishes to put on record its belief that the League of Nations will only be able to fulfil its aim *when it adds a clause* to the following effect: That each nation desiring to enter into the League of Nations shall pledge itself so to *restrict its birth-rate* that its people shall be able to live in comfort *in their own dominions without need* for territorial expansion, and that it shall recognize that *increase of population shall not justify* a demand either for increase of territory or for the compulsion of other nations to admit its emigrants; so that, when all nations in the League have shown their ability to live on their own resources without international rivalry, they will be in a position to fuse into an international federation, and territorial boundaries will then have little significance.' Of course, the Peace Conference ignored proposals so eccentric to the reigning order of ideas."

p. 585, n. 2: The Old Woman Who Lived In a Shoe by Edward A. Ross in The Century for September, 1927, pp. 564–570.

p. 585, n. 3: The Racial Prospect by Seth K. Humphrey (1920), p. 22. See also notes on pp. 761–763, 766.

p. 585, n. 4: Harper's Monthly Magazine for April, 1928, p. 534. Charles F. Brush of Cleveland, inventor and scientist, established a "Foundation" in 1928 of $500,000 for a scientific regulation of world population and said: "The income is to be used by a board of managers to finance efforts contributing toward the betterment of the human stock and toward regulation of increase in population, to the end that children shall be begotten only under such conditions as make possible a heritage of mental and physical health and favorable environment. The purposes include the furtherance of scientific research in the field of eugenics and in regulation of population; the education of people to the importance of betterment of stock and to the economic and social evils which result from too great increase of population, and any activities which shall serve the intent set forth in this announcement." The statement said that Brush established the fund because of his beliefs that the threat of overcrowding the earth is rapidly increasing; that science now preserves the unfit; that science should also improve the quality and reasonably limit the numbers of those born into the world.

Professor McDougall says: "Since it is clear that the development of civilisation tends to bring to an end the operation of natural selection, owing to the more efficient shielding of the weaker by the stronger members of societies, and since no other form of selection seems to have operated forcibly to change race qualities, it was inferred that race qualities endure throughout long ages with very little change. . . . Our superiority of civilisation is due to slow accumulation, each generation adding comparatively little to the mass of intellectual and moral tradition which it inherits and passes on to later coming generations. . . . We must beware of assuming that there are no selective processes operating among us. Although natural selection may be almost inoperative, there may well be at work other forms of selection, social selections; and these are specially powerful amongst populations of blended stocks. Summing up on the durability of racial peculiarities, we may say that racial qualities are extremely persistent; but that, nevertheless, they are subject to slow modifications when the conditions of life are greatly changed, as by emigration, or by changes of climate, or by social revolutions, and especially among populations of mixed origin." The Group Mind by William McDougall, 2nd ed. (1928), pp. 166, 168, 169.

p. 586, n. 1: The Old Woman Who Lived in a Shoe by Edward A. Ross in The Century for September, 1927, pp. 564–570.

p. 587, n. 1: The Science of Society by William Graham Sumner and Albert Galloway Keller (1927), Vol. II, § 326, p. 1453. Guignebert says, "There is no major scientific doctrine, no matter what its source or whither it may tend, which has not, so to speak, met with condemnation, or at any rate, opposition and ill will from the ecclesiastical authorities." Christianity, Past and Present by Charles Guignebert (1927), p. 455. He adds, however, that "Protestantism has been able to avoid drawing itself into mortal combat with modern science and the modern mind, for to all practical intents and purposes it has modernized itself" (p. 506).

p. 587, n. 2: An argument justifying birth control is found in Readings in Social Problems edited by Albert B. Wolfe (1916), pp. 228–233, being an article on The Bearing of the Malthusian Law of Population upon Human Conduct and Morals by Annie Besant. Compare Birth-Control — a Two Edged Sword, being Chapter 19 of Fruit of the Family Tree by A. E. Wiggam (1924). See also an article in the magazine "Plain Talk," December, 1927, by Havelock Ellis on Why Is Birth Control Necessary? The great stumbling block to open acceptance of birth control is false modesty as to sex. President Eliot says, "The policy of silence on all the functions and relations of sex, whether normal or morbid, was almost universally accepted for centuries by physicians and clergymen, and in family life. In the Protestant denominations of the Christian church the normal processes of procreation and birth were associated with the supposed fall of man and his total depravity. In the Catholic church the offices of a priest were necessary for the mother and new-born infant by way of purification; and the perversions of the sexual passion were to be dealt with only by the priest in the confessional." Charles W. Eliot, the Man and His Beliefs, edited by William Allan Neilson (1926), Vol. II, p. 649. Swinburne says: "But a new hope has arisen lately; and the solution of the problem is now developing, and after four thousand or so a change seems to be taking place in a single century. This is not due . . . to any sort of enlightenment on social subjects; it is due, as all other advances are due, to enlightened individual self-interest. For about seventy years the limitation of families has been practised. It began in the middle classes, and spread both up and down; and it will gradually extend until it changes the whole of the relations of society. The limitation of offspring, and the means, form the greatest discovery man has ever made. But no one knows the discoverer, and such matters are mentioned only with bated breath." Population and the Social Problem by J. Swinburne (1924), pp. 376, 377. Darwin, son of the famous Darwin, says, "As to the future, it is impossible that the population of the whole world can go on increasing at the present rate indefinitely, and a more powerful brake must be applied sooner or later. Abstinence cannot be relied on as cure for these evils, and the choice will practically lie between a more extended use of conception control and an increase in the number of deaths directly or indirectly due to want. On all these grounds, and because it is wicked to bring children into the world under such conditions that they cannot become efficient citizens, is it not at any rate undeniable that conception control is to be preferred on moral grounds to indulgence without precautions?" But Darwin also says, "What is needed is a dual campaign, a bold advocacy of adequate facilities for birth control always being available, especially amongst the poorest classes, together with a vigorous denunciation of the use of contraceptive methods when likely to result in an undue limitation of the size of the families of parents healthy both in mind and body. . . . The poor and needy bring upon both themselves and others a vast amount of unnecessary suffering and inconvenience by the production of large families which they cannot properly support, whilst the best stocks are being exterminated by the selfish use of contraceptive methods, generally in ignorance of the harm thus being done to the nation. Here, then, we see what should be our main line of advance when striving to promote the multiplication of the more fit; for without such a dual campaign as is here suggested, birth control will continue to be, as it is at present, the greatest menace to the maintenance of our civilization." The Need for Eugenic Reform by Leonard Darwin (1926), pp. 182, 407. Professor East says: "The wisest humanitarian of our time [Havelock Ellis] holds contraception to be the greatest discovery of the nineteenth century. He is obviously correct. No other practical means exists to compensate for the dysgenic effects of broadly exercised benevolence; no other means exists for solving the problem of overpopulation without causing intolerable pain and sorrow. This is what that broad-visioned biologist, the late Professor Bateson, had in mind when he said: 'It is in a decline in the birth-rate that the most promising omen exists for the happiness of future generations.'" Heredity and Human Affairs by Edward M. East (1927), pp. 310, 311. Professor Smith says: "Exclusion of immigration is dabbling at the problem that could be tackled manfully and set on the road to solution in a single generation, if a generation enlightened enough to give a compelling social sanction to voluntary limitation of families among the ignorant and poor could be magically raised up. No road is so short as this to amelioration, except for the fact that this road requires a certain freedom from superstition. Once this exception is stated, however, it is seen that even this road is long, especially in a country where half-living federal statutes still proscribe dissemination of knowledge regarding concrete means of birth control." American Philosophy of Equality by T. V. Smith (1927), p. 320.

p. 587, n. 3: Standing Room Only by Edward A. Ross (1927), p. 278. In that book Professor Ross points out (pp. 276, 277) that Holland puts no legal obstacle in the way of disseminating knowledge of birth control, and in New Zealand doctors, nurses and private individuals are free to give information on the subject, while in the United States eighteen States forbid the giving of such information even verbally, and a federal statute prohibits using the mails to give such information or distribute such supplies even to doctors (p. 240). In 1928 the Woman's City Club of New York by a decisive vote of its members caused a bill to be introduced in the Legislature to amend the law "in such a way that it will be legal for physicians to advise married persons, and married persons only, regarding birth control."

p. 588, n. 1: The Spirit of America (1910): Conference I on The Soul of a People by Henry Van Dyke, p. 22.

p. 588, n. 2: See Immigration Restriction by Roy L. Garis (1927), pp. 259, 260. This figure is given as 161,990 in Since the Civil War by Charles R. Lingley, Revised Edition (1926), p. 696.

p. 590, n. 1: British-American Relations by James D. Whelpley (1924), pp. 178, 179.

p. 591, n. 1: Immigration and Americanization, compiled and edited by Philip Davis (1920): See Ch. III, Characteristics — Emigration from Northwestern Europe and Emigration from the United Kingdom by Stanley C. Johnson, pp. 123, 124.

p. 591, n. 2: Oxford History of the United States by S. E. Morison (1927), Vol. II, p. 38.

p. 592, n. 1: See America and Her Commentators by Henry T. Tuckerman (1864), p. 124.

p. 592, n. 2: The Poles in America — New American Series (1922), by Paul Fox, pp. 89, 90.

p. 593, n. 1: The Tide of Immigration by Frank Julian Warne (1916), pp. 283, 284.

p. 594, n. 1: The Celt and the World by Shane Leslie (1917), p. 110.

p. 594, n. 2: History of England by William E. H. Lecky (1878), v. 20, p. 2.

p. 594, n. 3: Studies in Evolution and Eugenics by S. J. Holmes (1923), ch. XIV, p. 213.

p. 595, n. 1: Outspoken Essays (Second Series) by William R. Inge (1923): Essay on The White Man and His Rivals, p. 210.

p. 596, n. 1: The Study of American History by Viscount James Bryce (1922), p. 49.

p. 597, n. 1: The Hispanic Nations of the New World by William R. Shepherd (1919), p. 57, being vol. 50 of Chronicles of America.

p. 597, n. 2: See The English People Overseas by A. Wyatt Tilby, 2nd ed. (1911), vol. I, p. 23, note.

p. 597, n. 3: A *mestizo* is mixed white and Indian; a *zambo* is mixed Indian and negro; a *mulatto* is mixed white and negro. Mexico has Spaniards, many *mestizos* and practically no negroes. Hayti and San Salvador are practically all negro and mulatto. Argentine, Chili, Uruguay, and Costa Rica are white. Colombia is Spanish, negro and *mestizos.* Brazil is Spanish, negro, mulatto, and Indian. Nicaragua and Honduras are negro, Indian, and *zambo.* Venezuela is white and negro. Paraguay is Indian. Immigrant Backgrounds, edited by Henry Pratt Fairchild (1927): Article on The Latin-Americans by A. W. Pezet, pp. 151–178. Bolivia and Peru have whites, Indians, and *mestizos.*

p. 598, n. 1: The Reconciliation of Government with Liberty by John W. Burgess (1915), p. 357.

p. 598, n. 2: Tugwell summarizes the facts as follows, showing the greater productivity of one man working one hour in 1925 as compared with 1914, in the following industries:

"Steel works and rolling mills	153
Automobile manufacturing	310
Boot and shoe manufacturing	116.5
Paper and pulp making	125.7
Cement making	157.8
Leather working	128.2
Flour milling	139
Cane-sugar refining	127.3
Petroleum refining	177.3
Slaughtering and meat packing	110.7
Rubber tire making	311"

Tugwell adds: "This means that steel workers were producing 53 per cent more steel in the same number of man-hours in 1925 than they were producing in 1914; that cement makers averaged a 57 per cent larger product per hour worked, and so on throughout the list. We might add to this, what has developed since, that railroad labor produced 254 traffic units per man-hour in 1926 compared with 100 in 1890." Industry's Coming of Age by Rexford Guy Tugwell (1927), pp. 3, 4.

p. 599, n. 1: Our Testing Time by J. H. Curle (1926), p. 288.

p. 600, n. 1: Lecture on Beginning of the Modern State (1899–1901) republished in Lectures on Modern History by John E. Acton (1906), p. 51.

p. 601, n. 1: International Relations by Raymond L. Buell (1925), p. 293.

p. 601, n. 2: Modern Democracies by Viscount James Bryce (1921), Vol. I, p. 187.

p. 602, n. 1: The Challenge of the Future by Roland G. Usher (1916), pp. 297, 298.

p. 603, n. 1: The Twilight of the White Races by Maurice Muret (1926), pp. 201, 202. Widney says: "No sting pierces to the quick like the sting of social inequality; no hatred so bitter as that which is born of caste. The Spaniard might enslave; yet from the ranks of his slaves might be chosen his wife. And the children of a slave mother and the children of the master might play together as companions with no ban of social lines to forbid. Men will forgive cruelty; they never forget or forgive slight. It is this that arrays the dark-skinned peoples against the Englo-Teuton as against no other race; for to the Englo-Teuton the dark man is the inferior. He may not enter within the family circle. He may not sit at his board. Should an Englo-Teuton so far forget himself as to take to wife one of the dark-skinned race, the social ban is upon him also. He does not lift her to his level; she drags him down to hers; and the offspring may not rank with the father's race. This unwritten law of the folk may seem at times a hard law, but it is making the Englo-Teuton master of the world. But it is also making him hated of all others." Race Life of the Aryan Peoples by Joseph P. Widney (1907), Vol. 2, p. 22.

p. 603, n. 2: The People Next Door — An Interpretive History of Mexico and the Mexicans by George Creel (1926), Foreword, p. ix.

p. 603, n. 3: Creel's figures are 15,000,000 population, composed of 3,000,000 pure whites; 7,000,000 pure Indians; 5,000,000 mixed breeds. *Id.*, Foreword, p. x. Gruening, a late authority, says that in 1910 there were 1,150,000 whites (he says they are disappearing); 6,000,000 Indians; 8,000,000 *mestizos* (a mixture of Indians and whites); and no negroes of any consequence. He doubts whether at present there are more than 500,000 pure whites out of 15,000,000 population. He states that Madero, Carranza and Obregon were white; Calles is a *mestizo* and of his cabinet eight were white, three mixed, and one Indian. Mexico and Its Heritage by Ernest Gruening (1928), pp. 69, 70, 84.

p. 604, n. 1: Lecture on The Rise and Fall of the Mexican Empire (1868), republished in Historical Essays and Studies by John E. Acton (1908), pp. 144, 145, 172.

p. 605, n. 1: Fear God and Take Your Own Part by Theodore Roosevelt (1916), pp. 281, 282.

p. 607, n. 1: Principles of Economics by Frank W. Taussig (1915), Vol. 2, Ch. 39, p. 19. Sir George Armstrong, an eminent British journalist, after a tour through America printed his impressions in the London Sunday Observer on January 20, 1929, and among other things said: "The mind of the average American is a curious mixture of materialism and sentiment, and we must bear those qualities in mind when we criticize him. He has a great big heart and a keen eye for the almighty dollar, which is for him, to all intents and purposes, the mark and emblem of a man's success in life. Here, in Great Britain, titles, honors, orders and decorations are the rewards for pre-eminence. In America there is no 'honors list.' "

p. 608, n. 1: Economic Problems of Democracy (1923): Lecture on Class Consciousness and Public Opinion by Arthur Twining Hadley, p. 144.

p. 608, n. 2: Hugh McCulloch, Secretary of the Treasury under three administrations, says in his Men and Measures of Half a Century (1888), p. 290: "At the time of paroling the Confederate army at Greensboro, N. C., speaking of this part of Sherman's march and of the combination of physical labor with military hardihood, General Johnston said, in the hearing of General Cox, that there had been no such army since the days of Julius Caesar. He might also have remarked with truthfulness that there have been few such commanders." Sherman's march from Atlanta to the sea with 60,000 veterans, cutting loose from their base of supplies and lines of communications, thrilled all Europe as well as America. Grant authorized this historic invasion of the heart of the enemy's country and said Sherman "is now engaged in executing the most daring move ever made in this or any other country." See A Cycle of Adams Letters, edited by Worthington C. Ford (1920), Vol. 2, p. 190.

p. 608, n. 3: Popular Government by William Howard Taft (1913), p. 248.

p. 608, n. 4: Hugh McCulloch, Secretary of the Treasury under three administrations, says in his Men and Measures of Half a Century (1888), p. 364: "The fight between these two iron-clads was of momentous importance to the United States and the Confederate governments; but its influence was not confined to them — it was felt by every naval power in the world. It made iron and steel substitutes for wood in the construction of ships of war. It rendered valueless fleets upon which countless millions had been expended. It revolutionized naval warfare. In its consequences, it was the most important of all naval battles." Nicolay and Hay in their Life of Lincoln (Vol. 5, p. 231) say of this naval battle: "Counted merely by blows received and given, it was a drawn battle. But, practically, a victory, which seemed providential in its sudden relief and immense results, remained with the *Monitor*. The whole event was still broader in its effect. That three hours' battle in Hampton Roads changed the conditions of naval warfare for the whole world."

p. 609, n. 1: Men and Issues (1924): Address Belleau Wood, delivered April 9, 1922, by George Wharton Pepper, pp. 307, 308.

p. 611, n. 1: Dissertations and Discussions: M. De Tocqueville on Democracy in America by John Stuart Mill (1840), Vol. 2, pp. 110, 111, 113.

p. 612, n. 1: Anglo-Saxon Superiority by Edmond Demolins (1898), p. xix of Introduction.

p. 612, n. 2: America Comes of Age by André Siegfried (1927), p. 255.

p. 613, n. 1: As to the constitutionality of delegating practically legislative, judicial and executive functions to commissions and administrative officers and departments, see Legislative Functions of National Administrative Authorities by John P. Comer (1927).

p. 613, n. 2: See The United States of America by David Saville Muzzey (1924), Vol. II, pp. 476, 477. An argument by President Eliot in favor of the commission form of city government is found in Charles W. Eliot, the Man and his Beliefs, edited by William Allan Neilson (1926), Vol. II, pp. 753–774. The Municipal Reference Library in New York City in its pamphlet, March, 1928, on "Public Management" states that 360 cities in the United States have adopted the manager plan. The tendency apparently now is to adopt a combination of the two plans.

p. 614, n. 1: Quoted in The National Institute of Public Administration, A Progress Report, by Luther Gulick (1928), p. 8.

p. 614, n. 2: A remarkably clear statement of how the city manager plan has worked in different cities and of the arguments for and against that plan is given in The City Manager by Leonard D. White (1927).

p. 614, n. 3: Public Opinion and Popular Government (1914) by A. Lawrence Lowell, p. 110, American Citizenship Series.

p. 615, n. 1: The Forgotten Man and Other Essays (1918): Essay on Politics in America, 1776–1876, by William Graham Sumner, p. 325.

p. 615, n. 2: Social Decay and Regeneration by R. Austin Freeman (1921), p. 20.

p. 615, n. 3: See The United States of America by David Saville Muzzey (1924), Vol. II, p. 474.

p. 617, n. 1: Henry Watterson said in 1892 (See Historical and Patriotic Addresses, edited by Frederick Saunders — 1893): Oration on The Age of Progress and Good Feeling, p. 1018, "We are a plain, practical people. We are a race of inventors and workers, not of poets and artists. We have led the world's movement, not its thought. Our deeds are to be found not upon frescoed walls, or in ample libraries, but in the machine shop where the spindles sing and the looms thunder; on the open plain, where the steam-plow, the reaper, and the mower contend with one another in friendly war against the obduracies of nature; in the magic of electricity as it penetrates the darkest caverns with its irresistible power and light."

A vigorous article defending America's achievements past, present and probable in all directions of human activity, is found in "What's Wrong with the United States?" by Professor Thomas J. Wertenbaker of Princeton University in Scribner's for October, 1928. The Introduction to Letters from a Chinese Official (1922), p. viii, says of America: "For a century past she has drawn to herself by an irresistible attraction, the boldest, the most masterful, the most practically intelligent of the spirits of Europe; just as, by the same law, she has repelled the sensitive, the contemplative, and the devout. Unconsciously, by the mere fact of her existence, she has sifted the nations; the children of the Spirit have slipped through the iron net of her destinies, but the children of the World she has gathered into her granaries. She has thus become, in a sense peculiar and unique, the type and exemplar of the Western world. Over her unencumbered plains the Genius of Industry ranges unchallenged, naked, unashamed. Whereas, in Europe, it has still to fight for its supremacy; for there it is confronted with the debris of an earlier society, with ideals, habits, institutions, monuments, traditions, alien to its achievement and incomprehensible to its aims."

p. 617, n. 2: A brief but interesting description of American painters, sculptors, and musicians since 1865 is found in Since the Civil War by Charles R. Lingley, Revised Edition (1926), pp. 462–465.

p. 617, n. 3: Quoted from the Persian poet Hafiz in the essay on Persian Poetry by Ralph Waldo Emerson.

p. 618, n. 1: A Political and Social History of the United States by Arthur M. Schlesinger (1925), p. 326. Schlesinger says: "It is not too much to say that through the short story America has made her greatest contribution to world literature."

p. 618, n. 2: Literary History of the American Revolution by Moses Coit Tyler (1897), Vol. 1, p. 187, note 2. On another page (Vol. 1, p. 427) he refers to the legal profession as "a worldly and stormy profession." The present writer remembers well the humor and caustic wit of Professor Tyler, under whom he studied at the University of Michigan. The above mentioned book is full of that wit. For instance on page 135 note 1 (Vol. 2) he says: "If we would now do justice to the skill and the success with which England, by the deft hands of her king and parliament, then conducted that fine motherly process of race-weaning which history embodies under the name of the American Revolution, we should" etc. And again in describing Sir William Howe he says: "This mighty general had, indeed, a truly martial fondness for the smiles of pretty women, for balls and routs, for dinners, theatricals, heavy gaming, and heavy drinking; and he chose to dedicate those flying hours which were given to him in Philadelphia, to that mode of existence which the moralists have been wont to describe as riotous living." And indeed it was riotous. The feast of Lucullus had 1000 dishes and has been celebrated for 2000 years. The feast of Howe as he evacuated Philadelphia in 1778 had 1024 dishes (Diary of the American Revolution by Frank Moore — 1859 — Vol. 2, p. 54), assuming that they were sober enough to count — a violent assumption — and yet strange to say neither England nor America has ever enthused over the event. In describing Ethan Allen as a prisoner of war held by the British, Professor Tyler says: "It is probable that in all the Thirteen Colonies was then to be found no other man better fitted by boldness, adroitness, touchness, pride, fortitude, cheerfulness, and by terrific volubility in invective, to be a pioneer prisoner in the hands of the British, and to educate them, as it were, in the graces and virtues of a proper conduct towards us, by giving every Briton to his face scorn for scorn, a pride like his own or like Lucifer's, a fearlessness that could defy the Tower or Tyburn or Tophet, a tenacity of will that was able to wear out any tormentor; finally, an amplitude and an appalling humor in profane swearing well calculated to disconcert and abash the very men who called themselves his masters. . . . Frequently in the course of his story — as in the foregoing passages — the hero refers with no little satisfaction to his own extraordinary gift for the use of strong language — those explosive and sulphurous vocables with which, in cases of conflict with his fellow-men, he seems to have flooded the entire neighborhood, and to have imparted to his antagonists a horror-stricken desire for some form of rapid retreating motion." Tyler, *supra*, Vol. 2, 147, 231, 233.

On February 12, 1789, Dr. Stiles, President of Yale College, wrote in his diary: "Ethan Allen died this day and went to Hell." Ira Allen by James Benjamin Wilbur (1928), Vol. 1, p. 522. Allen had written an irreligious book.

p. 619, n. 1: See Persistent Questions in Public Discussion, edited by Alexander M. Drummond and Everett L. Hunt (1924): Essay on American Character by Brander Matthews, p. 34. The reference is to "The Wonderful Century" by Alfred Russel Wallace (1898), Ch. 15, pp. 151–156. Wallace frankly states that his list "may be increased or diminished by taking account of other discoveries as of equal importance, or by striking out some which may be considered as below the grade of an important or epoch-making step in science or civilization." He specifies 20 theoretical discoveries (the first 12 being of the 19th century and the remaining 8 prior thereto) as follows: (1) Conservation of energy; (2) Molecular theory of gases; (3) Velocity of light and proof of the earth's rotation; (4) Uses of dust; (5) Chemistry, definite proportions; (6) Meteors and theory; (7) Glacial epochs; (8) Antiquity of man; (9) Organic evolution; (10) Cell theory and embryology; (11) Germ theory of disease; (12) White blood corpuscles and their functions; (13) Modern chemistry; (14) Electrical science; (15) Gravitation established; (16) Kepler's laws; (17) Differential calculus; (18) Circulation of the blood; (19) Velocity of light; (20) Development of Geometry. Franklin was the leader in No. 14.

Turning now to inventions and practical applications, Wallace specifies 20 (the first 13 being of the 19th century, and the remaining 7 prior thereto) as follows: (1) Railroads; (2) Steamships; (3) Electric telegraphs; (4) The telephone; (5) Lucifer matches; (6) Gas illumination; (7) Electric lighting; (8) Photography; (9) The phonograph; (10) Röntgen rays; (11) Spectrum analysis; (12) Anæsthetics; (13) Antiseptic surgery; (14) Mariner's compass; (15) Steam engine; (16) Telescope; (17) Barometer and thermometer; (18) Printing; (19) Arabic numerals; (20) The Alphabet.

In Educating for Freedom by Edward O. Sisson the following appears (p. 155): "The railroad, the steamship, the airplane, the telephone, the telegraph, the radio have completely laid the physical basis for world unity, and actually compel world connection. It is interesting to note that four of these six inventions were made by Americans, and a fifth, the railroad, has been carried to its highest development here." Charles Seignobos in his History of Contemporary Civilization (1908), pp. 399, 400, says: "Among the new inventions and discoveries [of the 19th century] the principal ones, beside steam and electricity, are:

"Chemical matches.
"Beet-sugar.
"Gas.
"Petroleum.
"India rubber and gutta-percha.
"Photography and heliogravure.
"Electrotyping.
"Extracting colors from coal.
"Canning of foods, and the manufacture of the extract of beef."

De Tocqueville wrote, "These very Americans who have not discovered one of the general laws of mechanics have introduced into navigation an engine that changes the aspect of the world. . . . If the democratic principle does not on the one hand induce men to cultivate science for its own sake, on the other, it does enormously increase the number of those who do cultivate it. . . . Permanent inequality of conditions leads men to confine themselves to the arrogant and sterile researches of abstract truths, whilst the social condition and institutions of democracy prepare them to seek the immediate and useful practical results of the sciences. The tendency is natural and inevitable." Quoted in The Rise of American Civilization by Charles A. and Mary R. Beard (1927), vol. 1, p. 741.

p. 620, n. 1: Grattan, who was for a number of years British consul at Boston, presented the old-fashioned British idea of this country when he wrote in 1859, "The United States is designed by God's destiny for the greatest well-being of the greatest number; but that well-being is to be found in a simple, economical existence, which makes the country a paradise of mediocrity, but of nothing more. To be consistent with itself, it wants nothing more for its disciples than a medium quality in mind and manners, respectability of talent, moderate acquirements, unpresuming tastes; no meretricious ornaments nor luxurious displays; homely living, plain attire, industry, integrity, and truth. These are, as I understand the question, the component parts of the social and political system alone suited to the United States of America. Let Democracy, then, stand rooted there and flourish, like the tree of life. Let no offshoot of Royalty, or its associate honors, be grafted on its stem; no shields of pretence be hung upon its branches. Let its blossoms and fruits be unmixed with foreign flowers or artificial essences. Let those who bask under its broad canopy be content with its protecting shade, nor seek the glare of distinctions which would but bring their unfitness into grotesque and disparaging relief." Civilized America by Thomas Colley Grattan (1859), Vol. 1, pp. 222, 223.

p. 620, n. 2: Latter-Day Pamphlets — The Present Time by Thomas Carlyle (1884), p. 18. Hamerton says of Carlyle, "the English world does not follow his teaching. He was hostile to the fine arts, and they are more appreciated than ever; he condemned fiction, and novels were never more diligently read; he preferred despotism to popular government, and we see the rise of the English democracy; he was without scientific ideas, and science is penetrating all the departments of thought and action." French and English, a Comparison by Philip Gilbert Hamerton (1889), pp. 410, 411. "To some people the failure of the United States to produce a proportionate number of great men is a disquieting feature of their civilization. Two hundred years have elapsed since the settlement began to take a permanent shape. The population is now immense, the opportunities for education and development are unprecedented. Yet the native-born men of real eminence, of world-wide fame, are very few in number." The Family and the Nation by William C. D. Whetham and Catherine D. Whetham (1909), p. 206. Lodge, however, points out that "States ripen long and slowly (it took Venice seven hundred years) before they develope a beautiful and original art. . . . Letters, like art, take much time for full development; even more time is needed to obtain the richness and variety so necessary to a really great literature." A Frontier Town and Other Essays by Henry Cabot Lodge (1906): Address on Certain Principles of Town Government, pp. 225, 266. On the other hand, Daniel Webster in an oration at Dartmouth in 1809 when he was a young man decried the American "apathy in the pursuit of literary and scientific objects" as follows: "It has indeed been said that America is yet too young to imbibe an ardor for letters; that she can hardly expect even works of mediocrity, for years yet to come; that seven centuries from the foundation of Rome were scarcely sufficient to produce Horace and Virgil, Hortensius and Cicero; that when as many years have rolled by, from the landing of our fathers, as from Romulus to Augustus, we may then expect great poets, orators, and historians. No reasons from analogy can apply among nations so entirely dissimilar. Rome set out in the career of national existence completely barbarous. She got up out of her cradle an infant savage, with all the wolf in her blood. She was profoundly ignorant of first elements. She began at her alphabet. America, on the contrary, commenced her existence at a time when the sources of knowledge were unfolded, and the human mind was bounding forward in the path of improvement. Her first colonists were scholars. Raleigh, Smith, Penn, Robinson, are not names found in the first page of Roman history. No nation can trace so certain and so honorable an ancestry as America. It runs not back to clans of ravishers and robbers, nor to the lair of the foster-mother of Romulus. Nor is it enveloped in feudal ignorance or Druidical mystery. It is the plantation of enlightened men, from the best-informed nations of Europe, in a new country, who were anxious to strew the seeds of knowledge at the birth and beginning of their republic." Life of Daniel Webster by George Ticknor Curtis (1870), Vol. 1, p. 97. Lord Bryce says: "Why did England produce no first-rate poet in the two stirring centuries between Chaucer and Shakspeare, and again in the century and a half between Milton's birth and Wordsworth's? Why have epochs of comparative sterility more than once fallen upon Germany and France? And why has music sometimes reached its highest pitch of excellence at moments when the other arts were languishing? Why does the sceptre of intellectual and artistic leadership pass now to one great nation, now to another, inconstant and unpredictable as are the shifting winds? These questions touch the deepest and most complex problems of history, and neither historian nor physiologist has yet been able to throw any real light upon them. Even the commonplace remark that times of effort and struggle tend to develop an unusually active intellectual movement, and therewith to awaken or nourish rare geniuses, is not altogether true; for some of the geniuses have arisen at moments when there was no excitement to call them forth, and at other times seasons of storm and stress have raised up no one capable of directing the efforts or interpreting the feelings of his generation. One thing, however, is palpable: numbers have nothing to do with the matter. There is no average of a man of genius to so many thousands or millions of persons. Out of the sixty thousand of Florence there arise during two centuries more men of undying fame than out of huge London during the last three centuries. Even the stock of solid second-class ability does not necessarily increase with increasing numbers; while as to those rare combinations of gifts which produce poetry or philosophy of the first order, they are revealed no more frequently in a great European nation now than they were in a Semitic tribe or a tiny Greek city twenty-five or thirty centuries ago. There is therefore no reason why the absence of brilliant genius among the sixty millions in the United States should excite any surprise; we might as well wonder that there is no Goethe or Schiller or Kant or Hegel in the Germany of today, so much more populous and better educated than the Germany of their birth-time. It is not to be made a reproach against America that men like Tennyson or Darwin have not been born there. 'The Wind bloweth where it listeth;' the rarest gifts appear no one can tell why or how. In broad France a century ago no man was found able to spring upon the neck of the Revolution and turn it to his will. Fate brought her favorite from a wild Italian island that had but just passed under the yoke of the nation to which it gave a master. The question we have to ask as regards the United States is therefore not why it has given us few men of the highest and rarest distinction, but whether it has failed to produce its fair share of talents of the second rank; that is, of men capable of taking the lead in all the great branches of literary or artistic or scientific activity, men who instruct and delight their own generation, though possibly future generations may not hold all of them in remembrance. Have fewer men of this order adorned the roll of fame in the United States, during the century of their independence, than in England or France or Germany during the same period? Obviously this is the fact as regards art in all its branches, and also as regards physical and mathematical science. In literature the disparity is less evident; yet most candid Americans will agree with Englishmen that it is greater than those who know the education and intelligence of the younger people would have expected. I pass by oratory and statesmanship, because comparison is in these fields very difficult." Social Institutions of the United States by James Bryce (1892), pp. 174–176.

p. 620, n. 3: See History of the United States by George Bancroft, 12th ed. revised (1834–1862), Vol. 7, ch. 24, p. 258; and 18th ed. (1834–1862), Vol. 6, ch. 40, p. 278.

p. 620, n. 4: Essay on Culture by Ralph Waldo Emerson. Benjamin Rush, writing in 1790, said: "Literary men, who have no professional pursuits, will often languish in America, from the want of society. Our authors and scholars are generally men of business, and make their literary pursuits subservient to their interests. A lounger in book stores, breakfasting parties for the purpose of literary conversation, and long attic evenings, are as yet but little known in this country. Our companies are generally mixed, and conversation in them is a medley of ideas upon all subjects. They begin as in England with the weather — soon run into politics — now and then diverge into literature — and commonly conclude with facts relative to commerce, manufactures, and agriculture, and the best means of acquiring and improving an estate. Men who are philosophers or poets, without other pursuits, had better end their days in an old country. Harper's Literary Museum, compiled by Ola Elizabeth Winslow (1927), p. 46.

p. 621, n. 1: Strachey, an English writer, in American Soundings (1926), says, pp. 66–68: "It is to the Pioneers of the West, to the men who first crossed the mountains and pushed on to overtake the retreating sun that this creative optimism is primarily due. Their torches were fired as they crossed the Alleghanies. At once they began to pass the fire, not only forward, but back to those they left behind. Soon the whole continent was aflame. It is because of this that America owes so deep a debt of gratitude to the men of the Western States. Before the days of the Pioneers the American was not the weighty, determined, hard-shell optimist that he is to-day. The early Puritans, to borrow a delicious phrase from the ample basket of Mr. Chesterton, 'pottered about and prayed' like their Anglo-Saxon progenitors. They did not feel, as did the Pioneers, that the world was a huge banner 'unfurled to music suddenly.' The American was not dynamic till the great westward crusade. No wonder, then, that the west is proud of its work, or that the Union as a whole gladly admits that their fate lies somewhere behind the setting sun and that it was first shown to them by the men of the West. Here let me warn anyone who needs the warning that it is the vulgarest of vulgar errors to think that nations grow strong and rich and prosperous because of their material endowments — their fine climate, their rich and virgin soil, their mines, their forests and their fecund rivers. These are but rich frames. It is, as I have said before, but cannot say too often, only energy, *morale*, the indwelling spirit of enterprise that gives a people the prerogative of greatness. It was the optimist spirit of the Pioneers that crowned America as *Regina terrarum* — the Queen of the terrestrial globe. But America must not rest content with such a crown and such a title. The arts which gave her her greatness must be practised and developed in order to maintain the conquest they achieved. More, she must learn to apply her 'peculiar grace' to the non-material world, to the world of ideas as well as to the world of things. Her new Pioneers must cross the spiritual plains as their forefathers crossed the never-ending oceans of grass. That need be no fancy. America, if she will use them, has all the faculties required for such an exploration. Her investigators in the realms of scientific metaphysics are already showing themselves vigorous, bold and discerning. Let them press on. Let them believe that they will win their spiritual conflicts, and they will win them."

p. 621, n. 2: Character and Opinion in the United States by George Santayana (1920), p. 180. Henry Watterson, writing of Lincoln, said: "That God, of whose actuality the mind of man is not able to conceive, but whom we prefigure as an all-wise Deity, who, from the building of an empire to the fall of a sparrow, concerns Himself with mortal affairs, has had the American Union in His holy keeping, can be doubted by no one who has studied its history. All the incidents and accidents of the Revolutionary War made for the Continentals and against the British; all the incidents and accidents of the War of Sections made for the Federals and against the Confederates. The law of good and ill-fortune extended itself to the leaders in each instance. Why George Washington, the Virginia Colonel of Militia, instead of Colonel Lee, the accomplished English soldier, with a European career and reputation to commend him? Why, with all his handicaps, did Grant, the greatest of modern fighters, forge to the front ahead of McClellan and Sherman and Sheridan, brilliant officers, but clearly unequal to the final issue, and why were Albert Sidney Johnston, the rose and expectancy of the young Confederacy, and Stonewall Jackson, Napoleon alike of the Sword and the Cross, struck down at the decisive moment? How came Ericsson's little 'cigar box' to crawl into Hampton Roads just in the nick of time, to do the work and then go to the bottom of the sea, and how was it possible, except through the direct help of some power divine, that Cushing was able to creep up York River, both banks studded with Confederate batteries, to 'fix' the second and last of the Southern iron-clads? And, finally, why Lincoln, the rustic lawyer, the so-called rail-splitter, instead of Seward, the matchless leader, or Chase, the magnificent? God, God, and God alone!" Editorials of Henry Watterson, compiled by Arthur Krock (1923), pp. 202, 203.

p. 621, n. 3: Oxford History of the United States by S. E. Morison (1927), Vol. 1, p. 42.

p. 622, n. 1: Many English writers deny that Washington had great military ability. The answer to this was given by Franklin in 1784 when he wrote: "An American planter, who had never seen Europe, was chosen by us to command our troops, and continued during the whole war. This man sent home to you, one after another, five of your best generals baffled, their heads bare of laurels, disgraced even in the opinion of their employers." Life of Benjamin Franklin edited by John Bigelow (1874), Vol. 3, pp. 284, 285. John Adams in his "Diary" for August 31, 1774, at Philadelphia, just before the first meeting of the Continental Congress, says he met Mr. Lynch, Delegate from South Carolina. Adams records: "He told us that Colonel Washington made the most eloquent speech at the Virginia Convention that ever was made. Says he, 'I will raise one thousand men, subsist them at my own expense, and march myself at their head for the relief of Boston.'" Life and Works of John Adams by his grandson Charles Francis Adams (1850), Vol. 2, p. 360.

p. 622, n. 2: Early Life and Letters of John Morley by F. W. Hirst (1927), Vol. I, p. 105. Frederic Harrison, an English writer, who at the close of our Civil War lashed the official classes of England for favoring the South, while the English people favored the North (See George Washington and other American Addresses by Frederic Harrison — 1901: Address on Abraham Lincoln, pp. 34–36), delivered an address nearly forty years later on George Washington and said: "Whilst his memory is revered by the civilised world in Europe, it is nowhere held in such personal affection as with the people whom he defeated and whose dominion he shook off; for all right-minded Englishmen now feel that his work was a real gain — albeit a bitter lesson — to our own nation; whilst his noble character and unsullied career as soldier, as statesman, as patriot, add new glory to our common race. George Washington is as much one of our great English heroes as Alfred the Great or Shakespeare is one of yours. The robust nature, the ancestral speech, are the common prerogatives of our blood." *Id.*, Address on George Washington and the Republican Ideal, p. 4.

p. 622, n. 3: Modern Democracies by Viscount James Bryce (1921), Vol. I, p. 139. Among the tens of thousands of descriptions of Lincoln I select the following from a native of Illinois: "Above all in our Pantheon is Lincoln, the people's hero, whose greatness is the common possession of mankind: A face so plain that it fascinates, so sad it touches the heart, so illumined it draws us from all sordidness; eyes that beacon to the safe harbor of a true soul; a form builded like the ships of the Vikings, strong to the uttermost and all but graceful in the perfection of its strength; a mind that brought every question to the test of truth and would not deceive others because it would not deceive itself — a mind ever ruled by a heart which, as Emerson said, was as capacious as the storehouse of the rains, but had no room in it for the memory of a wrong; a mind and a heart distraught, oppressed, borne down under burdens greater than ever man bore and shaken by a temperament touched with moodiness and mysticism, but kept sound by a philosophy that took the sense of the comic as a preservative of wisdom and the sense of duty as the preservative of honor and endeavor; a spirit so fine that it felt, past all argument, the imminence of Divinity; a life harmonized and made glorious in the conclusion of Darwin — though a man may not fully know the issue of his life or the nature of God, he can do his duty. And how Lincoln did his duty, mankind will ever love to tell." The Mission of America and Other War-time Speeches of Edgar A. Bancroft, edited by Frederic Bancroft (1927): Address on Illinois — The Land of Men, pp. 148, 149.

I would add the tribute of that eloquent, influential and farseeing Southerner, Henry W. Grady, who in New York in 1886 spoke of Lincoln as the one "who stands as the first typical American, the first who comprehended within himself all the strength and gentleness, all the majesty and grace of this republic — Abraham Lincoln. He was the sum of Puritan and Cavalier; for in his ardent nature were fused the virtues of both, and in the depths of his great soul the faults of both were lost. He was greater than Puritan, greater than Cavalier, in that he was American." Quoted in The Southern South by Albert Bushnell Hart (1910), p. 85. Robert C. Winthrop, Speaker of the House of Representatives of the United States in an address in 1848, gave the opinion of Europeans relative to Washington as follows: "'Illustrious man!' said Fox of him, in the British House of Commons in 1794, 'deriving honor less from the splendor of his situation than from the dignity of his mind; before whom all borrowed greatness sinks into insignificance, and all the potentates of Europe become little and contemptible.' 'Washington is dead!' proclaimed Napoleon, on hearing of the event. 'This great man fought against tyranny; he established the liberty of his country. His memory will be always dear to the French people, as it will be to all free men of the two worlds.' 'It will be the duty of the historian and the sage in all ages,' says Lord Brougham, 'to let no occasion pass of commemorating this illustrious man; and, until time shall be no more, will a test of the progress which our race has made in wisdom and virtue be derived from the veneration paid to the immortal name of Washington.' 'One thing is certain,' says Guizot — 'one thing is certain; that which Washington did — the founding of a free government by order and peace, at the close of the revolution — no other policy than his could have accomplished.' And later, better still: 'Efface henceforth the name of Machiavel,' said Lamartine, within a few weeks past, in his reply to the

Italian association — 'efface henceforth the name of Machiavel from your titles of glory, and substitute for it the name of Washington; that is the one which should now be proclaimed; that is the name of modern liberty. It is no longer the name of a politician or a conqueror that is required; it is that of a man, the most disinterested, the most devoted to the people. This is the man required by liberty. The want of the age is a European Washington!' " Orations collected by Brooklyn Public Library: Oration by Hon. Robert C. Winthrop, pp. 30, 31.

p. 623, n. 1: Beacon Lights of History by John Lord (1888): Vol. on American Founders, p. 43.

p. 623, n. 2: Modern Democracies by Viscount James Bryce (1921), Vol. I, pp. 324, 325.

p. 624, n. 1: Essay on Considerations by the Way by Ralph Waldo Emerson. Henry James wrote: "As the usual, in our vast crude democracy of trade, is the new, the simple, the cheap, the common, the commercial, the immediate, and, all too often, the ugly, so any human product that those elements fail conspicuously to involve or to explain, any creature, or even any feature, not turned out to pattern, any form of suggested rarity, subtlety, ancientry, or other pleasant perversity, prepares for us a recognition akin to rapture. These lonely ecstasies of the truly open sense make up often, in the hustling, bustling desert, for such 'sinkings' of the starved stomach as have led one too often to have to tighten one's aesthetic waistband." The American Scene by Henry James (1907), p. 65.

p. 624, n. 2: Essay on Success by Ralph Waldo Emerson.

p. 625, n. 1: The New Barbarians (1925) by Wilbur C. Abbott, pp. 116, 117, American Nationalism Series.

p. 625, n. 2: Liberty, Equality, Fraternity by James Fitzjames Stephen (1882), p. 254.

p. 625, n. 3: The Great Republic by Sir Lepel H. Griffin (1884), pp. 3, 4. In this connection the description of amenities between the Americans and the English, as given by Baron Von Taube in his book, In Defense of America (1912), is amusing. He says (Introduction, pp. vi, vii): "During the time, however, that the two cousins have been busy indulging in a free and hearty criticism of each other's short-comings, as to 'insular narrowmindedness, stiffness, and frigid correctness, killing the human in man' on the one side; and, on the other, 'anything you please, but certainly not a gentleman,' the world has progressed at a rather rapid pace."

p. 626, n. 1: According to E. D. Mansfield, Thomas Ashe, an English writer in 1808 who had a vivid imagination and drew a long bow as to the facts, was the "first to discover that a book abusing the people of the United

States would be profitable by its popularity." See Literature of the Middle Western Frontier by Ralph L. Rusk (1925), Vol. 1, p. 104.

p. 626, n. 2: American Secretaries of State and Their Diplomacy, edited by Samuel Flagg Bemis (1928): John Quincy Adams by Dexter Perkins, Vol. 4, p. 92.

p. 626, n. 3: The Hindrances to Good Citizenship (1909): Lecture on Private Self-Interest as a Hindrance to Good Citizenship, by Viscount James Bryce, p. 74.

p. 626, n. 4: See America Comes of Age by André Siegfried (1927), p. 278.

p. 627, n. 1: See Historical Essays by James Ford Rhodes (1909), p. 287.

p. 627, n. 2: Modern Democracies by Viscount James Bryce (1921), Vol. I, p. 150. See also p. 452.

p. 627, n. 3: Education and Citizenship by Simeon E. Baldwin (1912), p. 124. Professor Hearnshaw (English) says in his Democracy at the Crossways (1918), p. 323, "In the long run — and this brings us back to a fundamental article of the democratic creed — public opinion sounds the true note, and the general will settles down to an equilibrium of sanity, moderation, and righteousness. This essential faith in the democracy has been expressed once and for all by Lincoln in his famous aphorism: 'You can fool part of the people all the time, and all the people part of the time; you cannot fool all the people all the time.' It is a cardinal tenet of the believer in popular self-government that, at the long last, public opinion can be trusted to come to conclusions at once sane and just. Only on the basis of this postulate is it possible to predicate a general will worthy of sovereign authority in a community." For a graphic picture of how the joy of life and success and creative energy in various nations have caused progress, prosperity and civilization, while the opposite has caused decline and decay, see Folkways by William G. Sumner (1907), pp. 100–107.

p. 627, n. 4: Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The Hope of Democracy by Albert Bushnell Hart, p. 374.

p. 628, n. 1: John Brown's Body by Stephen Vincent Benét (1928), p. 5.

p. 629, n. 1: Winning of the West by Theodore Roosevelt, Dakota Edition (1908), Vol. IV, p. 243.

p. 629, n. 2: See Since the Civil War by Charles R. Lingley, Revised Edition (1926), p. 438.

p. 630, n. 1: The Development of the United States from Colonies to a World Power by Max Farrand (1918), p. 65.

p. 630, n. 2: Undercurrents in American Politics by Arthur Twining Hadley (1915), p. 20.

p. 630, n. 3: See The American People (1909), Vol. 2 (The Harvesting of a Nation) by Maurice Low, p. 83.

p. 630, n. 4: The American as He Is by Nicholas Murray Butler (1910), p. 54.

p. 630, n. 5: America Comes of Age by André Siegfried (1927), p. 306.

p. 631, n. 1: See The Frontier in American History by Frederick Jackson Turner (1920), p. 177.

p. 631, n. 2: See *Id.*, p. 178.

p. 631, n. 3: Problems of Modern Democracy — Political and Economic Essays (1907): Essay on Aristocratic Opinions of Democracy by Edwin Lawrence Godkin, pp. 52, 53. The Encyclopædia Britannica, 11th ed., Vol. 1, p. 826, says: "The great advantage of the Confederate — an advantage which he had in a less degree as against the hardier and country-bred Federal of the west — was that he was a hunter and rider born and bred, an excellent shot and still not infrequently settled his quarrels by the duel. The town-bred soldier of the eastern states was a thoughtful citizen who was determined to do his duty, but he had far less natural aptitude for war than his enemy from the Carolinas or his comrade from Illinois or Kansas."

p. 632, n. 1: The United States, an Experiment in Democracy, by Carl Becker (1920), p. 169.

p. 632, n. 2: Economic Problems of Democracy (1923): Lecture on Economic Freedom by Arthur T. Hadley, p. 34.

p. 632, n. 3: The Development of the United States from Colonies to a World Power by Max Farrand (1918), p. 159.

p. 632, n. 4: Social Institutions of the United States by James Bryce (1892), p. 248.

p. 632, n. 5: Beacon Lights of History by John Lord (1888), Vol. 12, p. 245.

p. 632, n. 6: *Id.*, Vol. 12, p. 270.

p. 633, n. 1: Story of American Democracy by Willis Mason West (1922), pp. 423, 424.

p. 633, n. 2: A Modern Outlook by J. A. Hobson (1910), p. 170.

p. 633, n. 3: The New England Conscience by James P. Munroe (1915), pp. 174, 177.

p. 634, n. 1: Readings in the History of the American Nation, collected and edited by Andrew C. McLaughlin (1914): Colonization of the West by Frederick J. Turner, p. 128.

p. 634, n. 2: See Story of American Democracy by Willis Mason West (1922), p. 407.

p. 634, n. 3: See History of the United States by Henry Adams (1889–1917), Vol. 1, p. 73.

p. 634, n. 4: See History of the United States by Richard Hildreth, Second Series (1848–1852), Vol. 3, p. 227.

p. 634, n. 5: Essay on Power by Ralph Waldo Emerson.

p. 635, n. 1: *Id.*

p. 637, n. 1: These United States, A Symposium, edited by Ernest Gruening (1924): Nebraska, The End of the First Cycle by Willa Sibert Cather, Vol. 2, pp. 151, 152.

p. 637, n. 2: Lecky says, "Mistakes in statesmanship, military triumphs or disasters, no doubt affect materially the prosperity of nations, but their permanent political well-being is essentially the outcome of their moral state. Its foundation is laid in pure domestic life, in commercial integrity, in a high standard of moral worth and of public spirit; in simple habits, in courage, uprightness, and self-sacrifice, in a certain soundness and moderation of judgment, which springs quite as much from character as from intellect. If you would form a wise judgment of the future of a nation, observe carefully whether these qualities are increasing or decaying." The Political Value of History by W. E. H. Lecky (1893), pp. 55, 56.

p. 639, n. 1: Hamlet by William Shakespeare, Act. I, sc. V.

p. 641, n. 1: Race or Nation by Gino Speranza (1925), p. 235.

p. 642, n. 1: Ethical Democracy (1900): Essay on The Dynamics of Democracy by Stanton Coit, pp. 336, 337.

p. 642, n. 2: Quoted in The College and New America by J. W. Hudson (1920), p. 76.

p. 643, n. 1: National Character and the Factors in its Formation by Ernest Barker (1927), pp. 281, 282.

p. 643, n. 2: See The Relations of Education to Citizenship by Simeon E. Baldwin (1912), p. 120.

p. 643, n. 3: *Id.*, p. 43.

p. 643, n. 4: From the Prometheus of Aeschylus. Quoted in Essay on Compensation by Ralph Waldo Emerson.

p. 644, n. 1: These facts are largely gleaned from American Villages by C. Luther Fry (1926), pp. 29, 49, 52, 66, 67, 75, 94, 95, 102.

p. 645, n. 1: Quoted from The Man with His Hat in His Hand by Clark Howell in The Best American Orations of Today, compiled by Harriet Blackstone (1903), p. 158.

p. 645, n. 2: It was the good fortune of the writer hereof to be born and brought up in a western town of about the size of "Gopher Prairie" and he can certify that the descriptions in the novel called "Main Street" no more resemble the reality of the usual western town than a Jewish ghetto resembles a village in New England.

President Hoover in an address at Elizabethton, Tenn., on October 7, 1928, said: "I, with other Americans, have perhaps unduly resented the stream of criticism of American life, the stature and character of our people. More particularly have I resented the sneers at Main Street. For I have known that in the cottages that lay behind the street rested the strength of our national character. . . . In no country do there exist the intelligence, the devotion, the probity, the ability to rise to a great emergency that exist in the Main Street of the American town and village. I do not wish to disparage the usefulness of Broadway, Pennsylvania Avenue or State Street, but it is from Main Street and its countryside that the creative energies of the nation must be replenished and restored."

Spender, an English journalist and Oxford man, made two prolonged trips through the United States and in a book said: "The Middle-West, it seems to me, has suffered much wrong at the hands both of the novelists and of other Americans who seldom pay it the compliment of visiting it." And as to those who move to Los Angeles he says: "To me it seems as if the Middle-Westerner who — in spite of his Babbits, has a great many of the solid British provincial virtues — is just what the coast needs, as ballast to its film-stars and millionaires." Through English Eyes by J. A. Spender (1928), pp. 47, 67.

p. 646, n. 1: See The Agricultural Problem in the United States, published by the National Industrial Conference Board (1926), p. 123. This Board was composed of eminent citizens.

p. 646, n. 2: Essay on Behavior by Ralph Waldo Emerson.

p. 647, n. 1: Our Debt and Duty to the Farmer by Henry C. Wallace (1925), pp. 18, 19.

p. 648, n. 1: Address before National Republican Club, February 12, 1924 and Address at meeting of Association of Land Grant Colleges, November 13, 1924 by Calvin Coolidge: The Mind of the President by C. Bascom Slemp (1926), pp. 178, 180.

p. 648, n. 2: Writings of Thomas Jefferson, edited by Paul Leicester Ford (1894), Vol. 3, p. 269; quoted in The Economic Impact of America by Hon. George Peel (1928), p. 35. See also on this subject generally p. 599 *supra*. Jefferson also wrote (Writings *supra*, Vol. 3, pp. 268, 269), "Those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made a peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phaenomenon of which no age nor nation has furnished an example. It is the mark set on those, who not looking up to heaven, to their own soil and industry, as does the husbandman, for their subsistence, depend for it on casualties and caprice of customers. Dependance begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. . . . Generally speaking the proportion which the aggregate of the other classes of citizens bears in any state to that of its husbandmen, is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption." Jefferson wrote to John Jay, August 23, 1785 (*Id.*, Vol. 4, p. 88): "Cultivators of the earth are the most valuable citizens. They are the most vigorous, the most independant, the most virtuous, & they are tied to their country & wedded to its liberty & interests by the most lasting bonds. . . . I consider the class of artificers as the panders of vice & the instruments by which the liberties of a country are generally overturned."

p. 649, n. 1: Essay on Farming by Ralph Waldo Emerson.

p. 649, n. 2: The Agricultural Problem in the United States, published by the National Industrial Conference Board (1926), Foreword, p. 1.

p. 650, n. 1: Town and Country by Elva E. Miller (1928), pp. 42, 43, 47.

p. 650, n. 2: American Soundings by John St. Loe Strachey (1926), pp. 40, 42.

p. 651, n. 1: Representative Phi Beta Kappa Orations, edited by Clark S. Northup; William C. Lane; John C. Schwab (1915): The True Wealth or Weal of Nations by Horace Bushnell, pp. 10, 11.

p. 651, n. 2: Diminishing Returns in Agriculture by F. Lester Patton (1926), pp. 66, 94, 65, being No. 284 of Studies in History, Economics, and Public Law edited by the Faculty of Political Science of Columbia University.

p. 652, n. 1: See the National City Bank monthly circular letter for December, 1927.

p. 653, n. 1: The Condition of Agriculture in the United States and Measures for Its Improvement (1927). On pp. 22–29 the causes of agricultural depression are discussed, namely, increase of taxation, high interest rates, increase in railroad rates, increase in middlemen's charges, decrease in purchasing power of foreign nations, increased cost of farm production, the protective tariff (pp. 31, 95–97, 154, 169–175); depletion of the soil; and then it is said (pp. 28, 29): "In respect to its productive methods and business organization American agriculture is on the threshold of fundamental changes, the effects of which are difficult to foresee but are likely to be profound and far-reaching. The application to agriculture of new forms of power and machinery, of modern forms of business organization, and of specialized technical knowledge and managerial ability, all of which have long been at work in industry, trade, and finance, is just a beginning. Whether these changes will be effective in removing the competitive disadvantages under which agriculture labors, and how they will affect the fundamental characteristics of agriculture as an industry, a business, and a way of life of a large part of our people, is the great question of the future. It seems likely that they will lead to a large increase in agricultural production; to a great reduction of the amount of human labor per unit of output; to the increased elimination of workers in agriculture; to an increase in the size of farms; to a tendency toward corporate forms of organization [the book hopes this will not happen]; to the development of farming as a more highly organized and specialized profession, attracting men of exceptional scientific equipment and business ability; to changes in the regional distribution of agriculture; and to the development of new types of agricultural products and of new uses for existing products."

p. 653, n. 2: Our Debt and Duty to the Farmer by Henry C. Wallace (1925), pp. 21, 25.

p. 653, n. 3: The Character of Races by Ellsworth Huntington (1924), p. 353.

p. 654, n. 1: The Sanctity of Law by John W. Burgess (1928), dedication.

p. 654, n. 2: Encyclopædia Britannica, 11th ed., vol. 9, p. 907.

p. 654, n. 3: *Id.*, vol. 27, p. 612.

p. 655, n. 1: See The Agricultural Problem in the United States published by National Industrial Conference Board, Inc. (1926), pp. 92, 93, 127–129.

p. 655, n. 2: *Id.*, pp. 114–117.

p. 656, n. 1: Our Debt and Duty to the Farmer by Henry C. Wallace (1925), p. 194. On October 20, 1926, leading bankers of the United States, Great Britain, France, Germany, Italy, Austria, Belgium, Holland, Denmark, Norway, Sweden, Poland, Czechoslovakia, and Switzerland issued a statement "for the removal of restrictions upon European trade," and plainly this applies to restrictions on European trade with the United States, although this is denied. The argument is so conclusive it is reproduced in part as follows:

"We desire, as business men, to draw attention to certain grave and disquieting conditions which, in our judgment, are retarding the return to prosperity.

"It is difficult to view without dismay the extent to which tariff barriers, special licenses and prohibitions since the war have been allowed to interfere with international trade and to prevent it from flowing in its natural channels. At no period in recent history has freedom from such restrictions been more needed to enable traders to adapt themselves to new and difficult conditions. And at no period have impediments to trading been more perilously multiplied without a true appreciation of the economic consequences involved.

"The break-up of great political units in Europe dealt a heavy blow to international trade. Across large areas, in which the inhabitants had been allowed to exchange their products freely, a number of new frontiers were erected and jealously guarded by customs barriers. Old markets disappeared. Racial animosities were permitted to divide communities whose interests were inseparably connected. . . .

"To mark and defend these new frontiers in Europe, licenses, tariffs, and prohibitions were imposed with results which experience shows already to have been unfortunate for all concerned. One state lost its supplies of cheap food, another its supplies of cheap manufactures. Industries suffered for want of coal, factories for want of raw materials.

"Behind the customs barriers new local industries were started, with no real economic foundation, which could only be kept alive in the face of competition by raising the barriers higher still. Railway rates, dictated by political considerations, have made transit and freights difficult and costly. Prices have risen, artificial dearness has been created. Production as a whole has been diminished. Credit has contracted and currencies have depreciated.

"Too many states, in pursuit of false ideals of national interest, have imperiled their own welfare and lost sight of the common interests of the world by basing their commercial relations on the economic folly which treats all trading as a form of war.

"There can be no recovery in Europe till politicians in all territories, old and new, realize that trade is not war but a process of exchange, that in time of peace our neighbors are our customers, and that their prosperity is a condition of our own well-being. If we check their dealings, their power to pay their debts diminishes and their power to purchase goods is reduced. Restricted imports involve restricted exports, and no nation can afford to lose its export trade. Dependent as we all are upon imports and exports, and upon the processes of international exchange, we cannot view without grave concern a policy which means the impoverishment of Europe. . . .

"Some states have recognized in recent treaties the necessity of freeing trade from the restrictions which depress it. And experience is slowly teaching others that the breaking-down of the economic barriers between them may prove the surest remedy for the stagnation which exists. On the valuable political results which might flow from such a policy, from the substitution of good will for ill will, of co-operation for exclusiveness, we will not dwell. But we wish to place on record our conviction that the establishment of economic freedom is the best hope of restoring the commerce and the credit of the world."

An able article summarizing the protective tariff argument, *pro* and *con*, especially against such a tariff in the United States, by Bernhard Knollenberg, is found in the Atlantic Monthly for November, 1926, p. 688. The subject is clearly one that soon will divide parties again.

Former Ass't. Secretary of Agriculture Vrooman said in 1927: "Can any complacent apologist for 'things as they are' show how, except through the instrumentality of government, the farmer can ever hope to get: 1. Lower tariff schedules on things the farmer has to buy. 2. Lower taxes. 3. Lower freight rates. 4. A stabilized dollar. 5. A system of giant power operated to give cheap electric current on the farms. 6. A credit system as well adapted to his needs as is the present system to the needs of business. 7. Law enforcement against profiteering 'combinations in restraint of trade.' 8. Legislation and administrative action favorable to co-operative marketing. 9. A federal export corporation to dispose of the farmer's surplus crops abroad." Proceedings of the Ninth National Country Life Conference upon the topic "Farm Youth" (1926, published 1927): Address Wanted: A Real Farm Bloc! by Carl S. Vrooman, p. 15.

p. 656, n. 2: Mankind at the Crossroads by Edward M. East (1923), p. 168.

p. 656, n. 3: *Id.*, p. 189.

p. 656, n. 4: The Rural Life Problem of the United States by Sir Horace Plunkett (1910).

p. 656, n. 5: See pp. 21, 91 of the Agricultural Problem in the United States, published by National Industrial Conference Board, Inc. (1926).

p. 657, n. 1: *Id.*, p. 137.

p. 658, n. 1: The Business Men's Commission of Agriculture in its book in 1927 on the Condition of Agriculture said (p. 27) that "erosion is insidiously and constantly carrying away a layer of irreplaceable surface soil not only from the hillsides but over practically the whole area devoted to plowed crops"; also (p. 107) "in the long run erosion is of superlative importance, but it receives comparatively little attention owing to the fact that yields are not greatly diminished until the humus layer is well on the way to exhaustion. The depletion of essential plant foods, through cropping, leads to a cumulative and readily recognizable decline in yields, but soil wastage by erosion, which every year carries away a layer of the surface soil on all areas devoted to cultivated crops, does not appear clearly until the soil grows too thin to furnish adequate nourishment to plants"; also (p. 139) "rains are gradually washing away more and more of the humus layers in our Corn and Cotton Belts. For centuries the land withstood the rain as it was protected by forests or by a dense growth of prairie grasses. But since the advent of the cultivated crops the humus layer is rapidly disappearing even from level surfaces. It is asserted that in parts of the Corn Belt, in little more than fifty years' cultivation, almost half of the normal humus layer has disappeared."

p. 659, n. 1: The Foes of our Own Household by Theodore Roosevelt (1917), pp. 194, 195.

p. 660, n. 1: Essay on Manners by Ralph Waldo Emerson.

p. 660, n. 2: Farm Population of the U. S., pp. 13, 14. This monograph on the Census of 1920 also says: "Hence the boys who are most ambitious to do big things will tend to go to the cities — excepting always the naturally land-minded, who will stay on the farms for the love of farming. Perchance the big things, so called, of the present generation, are not the best things. A future generation must judge as to that. But they are the things that appeal to the enterprising youth — the operation of great factories and railroads, the management of huge department stores and big city newspapers, professional service in fields of distinction — with the number of dollars of income or inventory close in the foreground as a measure of the degree of success. Yet the dollar yardstick is not quite so prominently in view as it was 10 or 15 years ago, and the idea of service is finding its place in the fields of larger endeavor quite as rapidly as in the less pretentious walks of life. In fact, the call of the city to the young man from the farm or country town often takes the form of a call to larger service, mixed though this call may be with the promise of larger personal returns. The city offers opportunity, and to youth in the fullness of hope, opportunity is next door to accomplishment. . . . Out of the whole number of young men who leave the farms for the cities, however, only a small percentage find employment in these high-grade, well-paid positions. A vast majority, either because they have not the ability or because they do not find the right opening, have to content themselves with subordinate positions." *Id.*, pp. 14, 15.

p. 660, n. 3: Town and Country by Elva E. Miller (1928), pp. 76, 77.

p. 661, n. 1: Constitution of Sept. 29, 1894, Art. 3, §5.

p. 661, n. 2: Janus in Modern Life by W. M. Flinders Petrie (1907), p. 28.

p. 662, n. 1: See William Graham Sumner by Harris E. Starr (1925), p. 474.

p. 663, n. 1: Bryce says: "The fact that the ultimate source of power resides in the people often obscures the fact that in all political action, and especially in foreign relations, the people as a whole — I say this less of your country than I say it of Europe, but there is some truth in it everywhere — in all political action, and especially in foreign relations, the masses of the people have comparatively little knowledge and even less initiative. Broadly speaking, the people are what their leaders make them. Under every political constitution that has ever been devised the Many are inspired and led by the Few. Indeed, the larger the mass, the fewer are those to whom it looks and whom it follows, for the less the mass knows of the real facts and the really significant issues, the more must it depend on prominent individual men for guidance." International Relations by James Bryce (1922), pp. 30, 31. Speaking in regard to the World War Bryce also says: "We are all supposed to know, vaguely at least, what the Superman is. Taking the term in its best sense, Supermen were needed — men who possessed wide vision, with a calm judgment raised above the revengeful passions of the moment, men loving justice and seeking for justice, looking beyond the present to the future, seeking the good of mankind as well as the temporary advantage of their respective nations; men who were able to appreciate the workings of those better forces which alone can bring peace and reconcilement to a distracted world." *Id.*, p. 41.

p. 663, n. 2: Glover writes: "The account given to us by Livy of the procedure of the censors in the disastrous year 216 B.C. shows that the original freedom of consuls or censors in choosing the Senate had become modified by prescription. Ex-magistrates had come to be thought of as having a claim to membership — curule magistrates first, of course, and then tribunes of the *plebs*, aediles of the *plebs* and quaestors; and finally private citizens distinguished in war, 'who had spoils at home or had won the civic crown.' It was further an understood thing that once in the Senate a man was always of the Senate, unless he gave flagrant reason for his removal. The whole body tended to consist of magistrates and ex-magistrates. We have further to recall that, as time went on, there were fewer 'new men'; magistrates were most commonly 'nobles,' men, that is, of families already distinguished by holding magistracies. The range of selection is thus doubly limited. It becomes harder for a man of ability, but without antecedents, to reach the Senate, but it is still very far from being a hereditary chamber. The eldest son of a noble family is not always the most able; Englishmen remember the younger Pitt, and under the Roman practice it is he that would have reached the Senate rather than the second Lord Chatham. It is easy to see the value of the ex-magistrate on such a body, and the further value of him, if office-holding with its experience and responsibility is a tradition of his house, if he has grown up (as he did in that period) in a family, where public service, difficult and un-salaried, is the honourable tradition and the goal for which the boy is trained. It is possible, too, to see something democratic, something not so remotely suggestive of representative government, in making a Senate of ex-magistrates. On every one of them, sometimes more than once if a man were praetor or consul, the people has passed judgment; he has faced and won a popular election. In plain words, his family ran him — thought him fit to run and picked him against his brothers and cousins. . . . For a century and a half the Senate ruled, and ruled well — a well-knit body, as we saw, with a hereditary sense of responsibility and much personal experience of affairs, men who, with as real insight and genuine statesmanship as are generally found in mankind, guided the State and gave most of the world a stronger and more civilizing government than it had known. New motives, less honourable, began to be prevalent in the second century B.C., and, after the middle years of it, dominant." Democracy in the Ancient World by T. R. Glover (1927), pp. 182, 183, 207.

p. 664, n. 1: Democracy and Liberty by William E. H. Lecky (1878), p. 364.

p. 664, n. 2: Lord Bryce says: "In old colonial days England was everything. The revolt of 1776 produced an estrangement which might have been healed after 1783, had England acted with courtesy and good sense, but which was embittered by her scornful attitude. Wounds which were just beginning to scar over were reopened by the war of 1812; and the hostility continued as long as the generation lived whose manhood saw that war. Tocqueville in 1833 says he can imagine no hatred more venomous than that between the Americans and the English. The generation which remembered 1812 was disappearing when the sympathy of the English upper classes for the Southern Confederacy in 1861–65 lit up the almost extinguished flames." Social Institutions of the United States by James Bryce (1892), pp. 195, 196. An interesting chapter on lawyers (American and English) in the American Revolution is found in England and America, Rivals in the American Revolution by Claude H. Van Tyne (1927), Lecture IV.

p. 665, n. 1: Oxford History of the United States by S. E. Morison (1927), Vol. I, p. 329.

p. 665, n. 2: Life of Albert Gallatin by Henry Adams (1880), p. 500.

p. 665, n. 3: Beacon Lights of History by John Lord (1888): Vol. on American Founders, p. 244.

p. 665, n. 4: See The United States by Carl Becker (1920), p. 86.

p. 665, n. 5: Beacon Lights of History by John Lord (1888): Vol. on American Founders, p. 278.

p. 665, n. 6: Old Virginia and Her Neighbors by John Fiske (1897), Vol. 2, p. 114.

p. 666, n. 1: A Modern Outlook by J. A. Hobson (1910), pp. 40, 41. Henry Adams in a letter from London in 1862 wrote: "We want a national set of young men . . . to start new influences not only in politics, but in literature, in law, in society, and throughout the whole social organism of the country — a national school of our own generation. And that is what America has no power to create. In England the Universities centralize ability and London gives a field. So in France, Paris encourages and combines these influences. . . . It's all random, insulated work, for special and temporary and personal purposes, and we have no means, power or hope of combined action for any unselfish end." A Cycle of Adams Letters, edited by Worthington C. Ford (1920), Vol. 1, p. 196. Adams' theory was right but he suggested no machinery to carry it out. That machinery we already have at hand ready made. It is the great law schools of the country. Those are the natural centres for turning out leaders; men of principle, force, and learning. The efficiency of those schools leaves much to be desired but *there* is the organization to furnish recruits and results. It is not at all necessary that the law graduates become practicing lawyers. The training is what is needed.

p. 666, n. 2: See Plato and the Other Companions of Socrates by George Grote (1875), Vol. 3, pp. 48–73, 167, 197–209. On page 208 Grote says that Plato tells us little or nothing about the producing classes, though they must constitute the large numerical majority, and that all "we know about the producers in the Platonic Commonwealth is, that each man is to have only one business — that for which he is most fit — and that all are to be under the administration of the Rulers through the Guardians." Frankfurter and Landis say: "An adequately equipped professional bar is the mainstay of the Anglo-American legal order, for it is a necessary adjunct of our courts. If the bar is to fulfill its duties in this most important domain of law, it must realize the nature of issues raised by constitutional controversies and be capable of assisting courts in their solution. The intellectual direction of the bar will certainly in the future be decided by the law schools. The aims and atmosphere of our law schools, the ideas and philosophy which underlie their curricula, the breadth of scholarship and understanding of their faculties, will determine the quality of our lawyers." Business of the Supreme Court by Felix Frankfurter and James M. Landis (1927), p. 315.

p. 667, n. 1: Quoted in England and America, Rivals in the American Revolution by Claude H. Van Tyne (1927), p. 95.

p. 669, n. 1: National Character and the Factors in its Formation by Ernest Barker (1927), pp. 113, 114.

p. 669, n. 2: The Family and the Nation by William C. and Catherine D. Whetham (1909), p. 76. Professor Lennes says Lester Ward "believes that the seeds of greatness and genius are distributed equally among all social classes and that all that is lacking in the lower classes is opportunity." Whither Democracy? by N. J. Lennes (1927), p. 294. But Lennes adds (p. 306) that Galton's views to the contrary are most in accord with the evidence on the subject, and (p. 316) that Ward's "that exceptional qualities are equally distributed in all social classes" does not seem to have any basis whatever in fact. Professor Conklin, however, well says: "When we remember that most of the great leaders of mankind came of humble parents; that many of the greatest geniuses had the most lowly origin; that Shakespeare was the son of a bankrupt butcher and an ignorant woman who could not write her name, that as a youth he is said to have been known more for poaching than for scholarship, and that his acquaintance with the London theatres began by his holding horses for their patrons; that Beethoven's mother was a consumptive, the daughter of a cook, and his father a confirmed drunkard; that Schubert's father was a peasant by birth and his mother a domestic servant; that Faraday, perhaps the greatest scientific discoverer of any age, was born over a stable, his father a poor sick blacksmith, his mother an ignorant drudge, and his only education obtained in selling newspapers on the streets of London and later in working as apprentice to a bookbinder; that the great Pasteur was the son of a tanner; that Lincoln's parents were accounted 'poor white trash' and his early surroundings and education most unpromising; and so on through the long list of names in which democracy glories — when we remember these we may well ask whether aristocracy can show a better record. The law of entail is aristocratic, but the law of Mendel is democratic." The Direction of Human Evolution by Edwin G. Conklin (1925), pp. 130, 131.

p. 669, n. 3: Heredity and Society by William C. D. Whetham and Catherine D. Whetham (1912), p. 145. Anthony M. Ludovici in his book, Defence of Aristocracy (1915), claims that democracy is certain to be a failure because it does not and will not delegate to its best men the solution of difficult governmental problems. The answer to this is that in the United States at least the people as a whole always do seek the best men to represent them and do not interfere with them except on fundamental questions, such as war, immigration, prohibition, and general relations with Europe. Ludovici does not defend European aristocracies but advocates the principle of aristocracy. The trouble is that aristocracies would lead to abuses in the future as they always have in the past. Professor Thomas H. Reed in Government by the People (1919), p. 25, says, "No oligarchy or aristocracy ever governed for a long period in the interest of all the people. It is so fatally easy for those in power to assume that their interests are the interests of all; it is so difficult not to see things from the point of view of one's own pocket or prejudice, that the limited ruling class is almost sure, without any necessarily evil intent, to subordinate the welfare of the rest of society to its own."

p. 671, n. 1: See Our Debt to Greece and Rome, Aeschylus and Sophocles by J. T. Sheppard (1927), Vol. 38, p. 8.

p. 671, n. 2: A. Young's Tour in France, Journ. 21st July, 1787, quoted in Character and Circumstances of Nations by John Bigland (1816), p. 104.

p. 673, n. 1: Rugby Chapel by Matthew Arnold, quoted in Stoicism by Professor Wenley (1924), p. 60.

p. 673, n. 2: Horace's Odes, Book 1, Ode 7.

p. 674, n. 1: Current Problems in Citizenship by William Bennett Munro (1924), p. 534.

p. 674, n. 2: The New Barbarians (1925) by Wilbur C. Abbott, p. 30, American Nationalism Series.

p. 675, n. 1: The American Spirit in the Writings of Americans of Foreign Birth (1922): Address on True Americanism by Carl Schurz, pp. 41, 42.

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